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Agencies in this issue—

The President
Agricultural Research Service
Agricultural Stabilization and Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Consumer and Marketing Service
Defense Department
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Interstate Commerce Commission
Maritime Administration
National Bureau of Standards
National Park Service
Securities and Exchange Commission
Small Business Administration

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LITTERA SCRIPTA MANET
1934

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[Revised as of January 1, 1966]

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Proclamation 3743

FURTHER IMPLEMENTING AGREEMENT CONCERNING AUTOMOTIVE PRODUCTS BETWEEN THE UNITED STATES AND CANADA

By the President of the United States of America

A Proclamation

WHEREAS the United States and Canada on January 16, 1965, entered into an Agreement Concerning Automotive Products, which provides that Canada shall accord duty-free treatment to imports of certain automotive products of the United States and that, after enactment of implementing legislation, the United States shall accord duty-free treatment to certain automotive products of Canada retroactively to the earliest date administratively possible following the date on which the agreement has been implemented by Canada (art. II, 89th Cong. 1st sess., H. Rep. 537, 38);

WHEREAS the agreement of January 16, 1965, was implemented by Canada through the granting of the requisite duty-free treatment to United States products on January 18, 1965;

WHEREAS titles II and IV of the Automotive Products Trade Act of 1965 have been enacted to provide for modifications of the Tariff Schedules of the United States (19 U.S.C. 1202) to implement the agreement of January 16, 1965, such modifications to enter into force in the manner proclaimed by the President (79 Stat. 1016);

WHEREAS sections 201 and 203 of the Automotive Products Trade Act of 1965 authorize the President to proclaim such modifications of the Tariff Schedules of the United States as will provide for the duty-free treatment of Canadian articles which are original motor-vehicle equipment either if the modifications of such articles are set forth in title IV of that Act or if the President subsequently determines that the importation of the articles is actually or potentially of commercial significance and that such duty-free treatment is required by the agreement, such proclamation to provide for retroactive effect for such duty-free treatment as of the earliest date after January 17, 1965, which the President determines to be practicable;

WHEREAS, by Proclamation No. 3682 of October 21, 1965 (30 F.R. 13683), the President pursuant to sections 201 and 203 proclaimed the modifications of the Tariff Schedules of the United States provided for in title IV of the Automotive Products Trade Act of 1965; and

WHEREAS I determine (a) under subsection (b) of section 201 that the importation of the Canadian articles which are original motor-vehicle equipment and which are dutiable under TSUS items 688.04, 688.06, and 688.15 is actually or potentially of commercial significance and that duty-free treatment of such Canadian articles is required to carry out the agreement of January 16, 1965, and (b) under section 203 that the earliest date, after January 17, 1965, as of which it is practicable to give retroactive effect to this proclamation is January 18, 1965:

NOW, THEREFORE, I, LYNDON B. JOHNSON, under the authority vested in me by the Constitution and the statutes, particularly sections 201(b) and 203 of the Automotive Products Trade Act of 1965, do proclaim that the Tariff Schedules of the United States are modified by inserting in proper numerical sequence new items 688.05, 688.07, and 688.16, each such item having the article description "If Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6) . . . . ." subordinate to the immediately preceding article description and having "Free" in rate of duty column numbered 1. Such modifications shall enter into force on the day following the date of this proclamation and shall be effective with respect to articles which are or have been entered for consumption, or for warehouse, on or after January 18, 1965.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this eighth day of September in the year of our Lord nineteen hundred and sixty-six, and of [SEAL] the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,
Acting Secretary of State.

[F.R. Doc. 66-10086; Filed Sept. 12, 1966; 2:13 p.m.]

Executive Order 11304

AMENDING EXECUTIVE ORDER NO. 11175 RELATING TO THE EXCLUSION FOR ORIGINAL OR NEW CANADIAN ISSUES WHERE REQUIRED FOR INTERNATIONAL MONETARY STABILITY

WHEREAS I have determined that the exclusion from the interest equalization tax, to the extent provided in this order, is necessary to avoid such consequences for Canada as to imperil or threaten to imperil the stability of the international monetary system;

NOW, THEREFORE, by virtue of the authority vested in me by section 4917(a) of the Internal Revenue Code of 1954, as added by section 2 of the Interest Equalization Tax Act, approved September 2, 1964 (Public Law 88-563), by section 301 of title 3 of the United States Code, and as President of the United States, it is ordered that Executive Order No. 11175,[1] dated September 2, 1964, be, and it is hereby, amended to read as follows:

SECTION 1. Except as provided in section 2, the tax imposed by section 4911 of the Internal Revenue Code of 1954 shall not apply to the acquisition by a United States person of stock or a debt obligation of Canada or a political subdivision thereof, any agency or instrumentality of Canada, any corporation, partnership, or trust organized under the laws of Canada or a political subdivision thereof, or any individual resident in Canada, if such stock or debt obligation is acquired as all or part of an original or new issue as to which there is filed the notice of acquisition prescribed by the Secretary of the Treasury or his delegate.

SEC. 2. The exclusion from tax provided in section 1 shall not apply to the following:

(a) Any acquisition of stock or a debt obligation of a company registered under the Investment Company Act of 1940 (54 Stat. 847; 15 U.S.C. 80a-1 to 80a-52); and

(b) Any acquisition of stock or a debt obligation of a Canadian corporation, partnership, or trust formed or availed of for the principal purpose of acquiring stock or debt obligations of a Canadian or other foreign issuer or obligor, other than stock or debt obligations described in section 1 or in section 4916(a) of the Internal Revenue Code of 1954.

SEC. 3. The provisions of sections 1 and 2 shall be applicable to any acquisition by a commercial bank of a debt obligation described in such sections, and section 3 of Executive Order No. 11198, dated February 10, 1965, is hereby superseded.

SEC. 4. The Secretary of the Treasury or his delegate is authorized to prescribe from time to time regulations, rulings, directions, and instructions to carry out the purpose of this order.

SEC. 5. This order shall be effective upon its filing for publication in the FEDERAL REGISTER and shall apply to all acquisitions made during the period this order is in effect.

LYNDON B. JOHNSON

THE WHITE HOUSE,
September 12, 1966.

[F.R. Doc. 66-10085; Filed, Sept. 12, 1966; 1:45 p.m.]

[1] 29 F.R. 12605; 3 CFR 1964 Supp., p. 18.

Executive Order 11305

AUTHORIZING THE SECRETARY OF ARMY AND THE GOVERNOR OF THE CANAL ZONE, RESPECTIVELY, TO PERFORM CERTAIN FUNCTIONS RELATING TO THE PANAMA CANAL AND THE CANAL ZONE

By virtue of the authority vested in me by Section 301 of Title 3 of the United States Code and by the Canal Zone Code (76A Stat.), and as President of the United States, it is hereby ordered as follows:

SECTION 1. The following provisions of this section shall constitute Subpart A of Part 3 of Title 35 (Panama Canal) of the Code of Federal Regulations—§ 3.1 *Delegations to Secretary of the Army.*

(a) The Secretary of the Army shall exercise the powers vested in the President of the United States by the following provisions of the Canal Zone Code:

(1) 2 C.Z.C. 1331 (1), (2), and (3) (76A Stat. 46), relative to prescribing and amending regulations governing (i) the navigation of the harbors and other waters of the Canal Zone, (ii) the passage and control of vessels through the Canal or any part thereof, including the locks and approaches thereto, and (iii) pilotage in the Canal or the approaches thereto through the adjacent waters.

(2) 2 C.Z.C. 701 (76A Stat. 29), relative to prescribing and amending regulations governing aircraft, air navigation, air-navigation facilities, and aeronautical activities within the Canal Zone.

(3) 2 C.Z.C. 911 (76A Stat. 36), relative to prescribing and amending regulations governing matters of health, sanitation, and quarantine for the Canal Zone.

(4) 2 C.Z.C. 1191 (76A Stat. 41), relative to prescribing and amending regulations governing the issuance and revocation of licenses to practice the healing art.

(5) 2 C.Z.C. 1441 (76A Stat. 49), relative to prescribing and amending regulations for levying, assessing, and collecting ad valorem, excise, license, and franchise taxes in the Canal Zone.

(6) 2 C.Z.C. 731 (76A Stat. 29), relative to prescribing and amending regulations relating to (i) the manufacture and sale of alcoholic beverages in the Canal Zone, and licenses and fees therefor, and (ii) the importation of alcoholic beverages into, and exportation thereof from, the Canal Zone.

(b) The Secretary of the Army, after consultation with the Secretary of State, shall exercise the powers vested in the President of the United States by 2 C.Z.C. 841 (76A Stat. 32), relative to making and amending regulations governing (1) the rights of persons to enter, remain upon or pass over any part of the Canal Zone, and (2) the detention of persons entering the Canal Zone in violation of the regulations, and their return to the countries whence they came.

(c) The Secretary of the Army may redelegate to the Governor of the Canal Zone (hereafter in this subpart referred to as "the Governor") all or any designated portion of the powers delegated to the Secretary of the Army by § 3.1(a).

§ 3.2 *Secretary of the Army as representative of President.*

(a) Pursuant to 2 C.Z.C. 31 and 62(b), respectively (76A Stat. 7 and 9), the Secretary of the Army is designated as the officer of the United States to supervise the administration of the Canal Zone Government by the Governor, and to act as "stockholder" of the Panama Canal Company.

(b) In performing his functions under § 3.2(a), the Secretary of the Army shall act as the direct representative of the President of the United States, and not in his capacity as the head of the Department of the Army.

§ 3.3 *Delegations to Governor.*

(a) The Governor shall exercise the powers vested in the President of the United States by the following provisions of the Canal Zone Code:

(1) 2 C.Z.C. 1001 (76A Stat. 37), relative to making, publishing, enforcing, and amending rules and regulations for the use of public highways and roads in the Canal Zone, for the regulation, licensing, and taxing of the use and operation of all self-propelled vehicles using the public highways and roads, and for the other matters referred to in 2 C.Z.C. 1001.

(2) 2 C.Z.C. 1002 (76A Stat. 37), relative to making mutual agreements with the Republic of Panama concerning (i) the reciprocal use of the public highways and roads of the Canal Zone and the Republic of Panama by self-propelled vehicles, (ii) taxes and license fees, and (iii) other matters of regulation to establish comity for the convenience of the residents of the two jurisdictions.

(3) 2 C.Z.C. 1134 (76A Stat. 39), relative to establishing the rate of interest borne by postal savings certificates.

(4) 2 C.Z.C. 1331(4) (76A Stat. 46), relative to prescribing and amending regulations governing the licensing of officers or other operators of vessels (including pilots of vessels and operators of motorboats) navigating the waters of the Canal Zone.

(5) 3 C.Z.C. 82 (76A Stat. 54), relative to (i) the appointment and removal of magistrates, and (ii) the appointment of relief magistrates and the assignment of a magistrate to another magistrate's court in the circumstances specified in 3 C.Z.C. 82.

(6) 3 C.Z.C. 86 (76A Stat. 55), relative to prescribing regulations governing the administration of magistrates' courts and prescribing (i) the duties of magistrates and constables, (ii) oaths and bonds, (iii) the times and places of holding magistrates' courts, and (iv) the disposition of fines, costs, and forfeitures.

(7) 6 C.Z.C. 1281 (76A Stat. 455), relative to prescribing and amending rules and regulations to assert and exercise the police power in the Canal Zone, or for any portion or division thereof, for the purpose of enforcing 6 C.Z.C. 1281(a) declaring unlawful the engaging in or permitting any indecent or immoral conduct.

(b) The Governor's authority to exercise the powers enumerated in § 3.3(a) is subject to (1) the provisions of 2 C.Z.C. 34 (76A Stat. 8), (2) the supervision of the Secretary of the Army, and (3), in the case of § 3.3(a)(2), consultation with the ranking diplomatic officer of the United States accredited to the Republic of Panama.

(c) His authority under 2 C.Z.C. 31 and 33 (76A Stat. 7) to establish, alter, or discontinue military and naval reservations shall be exercised by the Governor (1) only with the approval of the Secretary of the Army in all cases, and (2) also only after consultation with (i) the Secretary of the Navy in the case of Naval reservations and in the case of other reservations and bases concerning which the Department of the Navy may express an interest, (ii) the Secretary of the Air Force in the case of air-force bases and in the case of other reservations and bases concerning which the Department of the Air Force may express an interest, and (iii) both the Secretary of the Navy and the Secretary of the Air Force when they both have an interest.

§ 3.4 *Scope of delegated powers; duty of Government personnel; construction.*

(a) The Secretary of the Army may exercise the powers delegated or otherwise assigned to him by this subpart without approval, ratification, or other action by the President.

(b) The Governor may exercise the powers delegated to him by § 3.3(a), and any powers redelegated to him under § 3.1(c), (i) without approval, ratification, or other action by the President, and (ii), except to the extent inconsistent with § 3.3(b)(2) and except as the Secretary of the Army may otherwise provide in pursuance of § 3.1(c), without approval, ratification, or other action by the Secretary of the Army.

(c) All officers, officials, and employees of the United States, including disbursing, accounting, and auditing officers, shall give the same effect to any acts of those authorized under this subpart to exercise powers as if exercised by the President.

(d) This subpart does not limit or restrict the right of the President to exercise any power specified in this subpart.

(e) Unless inappropriate, references in this subpart to any statute or to any provision of any statute shall be deemed to include references thereto as amended from time to time.

SEC. 2. All actions heretofore taken by the President or by his delegates in respect of the matters affected by this order and in force at the time of the issuance of this order, including any regulations prescribed or approved by the President or by his delegates in respect of such matters, shall, except as they may be inconsistent with the provisions of this order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order unless sooner terminated by operation of law.

SEC. 3. (a) The following are hereby superseded:

(1) Sections 9, 10, 11, 12, and 12a of Executive Order No. 7676 of July 26, 1937.

(2) Executive Order No. 8962 of December 6, 1941.

(3) Executive Order No. 9746 of July 1, 1946.

(4) Executive Order No. 10595 of February 7, 1955.

(b) All other Executive orders and proclamations issued prior to the date of this order which are inconsistent with this order, or any regulations issued pursuant thereto, are hereby superseded to the extent of such inconsistency.

SEC. 4. This order shall take effect on the 90th day after its publication in the FEDERAL REGISTER.

LYNDON B. JOHNSON

THE WHITE HOUSE,
September 12, 1966.

[F.R. Doc. 66-10092; Filed, Sept. 12, 1966; 3:24 p.m.]

NOTE: A complete revision and recodification of the Canal Zone Regulations (35 CFR Ch. I) will be published in Part II of the FEDERAL REGISTER of Friday, September 16, 1966.

Rules and Regulations

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 10]

PART 717—HOLDING OF REFERENDA ON MARKETING QUOTAS

Subpart—Regulations Governing the Holding of Referenda on Marketing Quotas

MISCELLANEOUS AMENDMENTS

On pages 10,691 and 10,692 of the FEDERAL REGISTER of August 11, 1966, was published a notice of proposed rule making to amend the regulations governing the holding of referenda on marketing quotas and to prescribe procedures relating thereto. Interested persons were given 15 days after publication of such notice in which to submit written comments, suggestions, or objections regarding the proposed amendment. All written comments, suggestions, and objections received by the Farmer Programs Division pursuant to said notice have been carefully considered. The proposed amendments are adopted subject to the following changes:

1. The subtitle "Upland Cotton" is deleted.

2. The period during which mailed ballots must be received in order to be counted is extended to the start of canvassing the ballots, provided any such ballot is postmarked not later than midnight of the final day of the referendum period.

3. A time for canvassing ballots is established.

4. An effective date provision is added.

Effective date. Thirty (30) days after the date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on September 9, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

The amendments are adopted as follows:

1. Section 717.17 of the regulations on marketing quotas governing county referenda in 1965 for out-of-county transfers of upland cotton allotments (31 F.R. 6533) is repealed, and a new § 717.17 is added to read as follows:

§ 717.17 Holding referenda by mail ballot with respect to the 1967 and subsequent crops.

(a) The provisions of this section shall apply to all referenda of producers of commodities subject to marketing quotas with respect to the 1967 and subsequent crops unless the Administrator determines prior to the holding of a referendum that such referendum will be held by voting at polling places. If such determination is made, the referendum shall be conducted by voting at polling places designated in accordance with § 717.4 and in accordance with the regulations of this part which are applicable to holding referenda through the use of polling places.

(b) Procedure for balloting by mail: Notwithstanding the provisions of §§ 717.3, 717.4, 717.5, and 717.7 to 717.10, the following provisions for voting in referenda held by mail ballot shall apply.

The county committee shall establish a register of known eligible producers prior to the referendum and furnish each producer who is eligible to vote in a particular referendum a ballot suitable for mailing back to the office of the county committee. If an eligible producer of the particular commodity is not furnished a ballot, he may obtain one during the referendum period from the office of the county committee for the county in which he is eligible to vote or from any other ASCS office where ballots are available, including the Farmer Programs Division, ASCS, Department of Agriculture, Washington, D.C.

When a ballot is issued from an ASCS office other than the ASCS office in the county in which the producer is eligible to vote in a particular referendum, the issuing office shall keep a register showing to whom it was issued, the person's address, the county and State in which the ballot is to be voted, and the name and title of the person who issued the ballot.

Each person to whom a ballot is issued by mail or in person may vote in the referendum by marking the ballot so as to indicate clearly how he votes, placing the ballot in a plain envelope, sealing the plain envelope, inserting it in a postage-and-fees paid indicia envelope which shall be marked clearly with the voter's name and return address, signing the certification on such envelope or making his mark thereto (which mark shall be witnessed), sealing the postage-and-fees paid indicia envelope, and delivering or mailing it to the office of the county committee for the county in which he is eligible to vote.

Notwithstanding the fact that a ballot(s) may be later challenged by the county committee, ballots received at the ASCS county office during the referendum period shall be placed immediately in a ballot box provided by the county office manager and so arranged that ballots cannot be read or moved without breaking the seal on the container.

Voted ballots received by the county committee of the county in which the voter is eligible to vote during the period established for holding a particular referendum, shall be tabulated by the county committee. A ballot shall be considered to have been received during the referendum period if (1) in the case of a ballot delivered to the county committee, it was received in the office prior to the close of the work day on the final day of the referendum period, or (2) in the case of a mailed ballot, it was postmarked not later than midnight of the final day of the referendum period and was received in the county office prior to the start of canvassing the ballots. However, no such ballot shall be counted unless the voter signs the certification or his mark is witnessed on the postage-and-fees paid indicia envelope, and it is determined that he is eligible to vote in the particular referendum.

Canvassing of returned ballots shall take place at the opening of the county office on the fifth day following the close of the referendum period. Such canvassing shall be in the presence of at least two members of the county referendum committee and open to the public. Ballots received after the start of tabulation, even though contained in envelopes that were postmarked prior to midnight of the final day of the referendum period, shall not be counted. To preserve the secrecy of the ballot, such counting and canvassing of ballots shall be in the following manner:

(1) Open sealed ballot box in the presence of public witnesses, if any.

(2) Separate certification envelopes containing plain envelopes with ballots (and determine eligibility to vote under these regulations before opening) as follows:

(i) Unopened certification envelopes which do not have proper signed certification, (ii) Unopened certification envelopes of ineligible voters, and (iii) Unopened certification envelopes of eligible voters.

(3) Remove sealed plain envelopes from unopened certification envelopes of eligible voters ((2) (iii) above).

(4) Shuffle unopened plain envelopes containing the ballots, and

(5) Open the plain envelopes and count the votes.

(c) Special provisions: The provisions of §§ 717.3, 717.4, 717.5, and 717.7 to 717.10 shall be applicable, insofar as practicable, except that:

(1) The Deputy Administrator shall prescribe the necessary forms and ballots to be used and may authorize modification of any current marketing quota referendum form for use in referenda by mail ballot.

(2) The entire county shall be the referendum community for referenda held by mail ballot.

(3) For referenda on upland cotton allotment out-of-county transfers, the voting eligibility requirements pertaining to upland cotton in § 717.3(a)(1) shall be applicable, except that a landlord of a standing-rent, cash-rent, or fixed-rent tenant shall be eligible to vote. The limitation in § 717.3(b)(1) that a person shall be entitled to only one vote regardless of the number of farms in which the person is interested or the number of communities, counties, or States in which are located farms in which such person is interested shall not be applicable and in lieu thereof the limitation on voting shall be as follows:

(i) No person shall be entitled to more than one vote in any county referendum regardless of the number of farms in which the person is interested which are located in the county.

(ii) An eligible voter shall be entitled to one vote in each county in which he is eligible to vote in the county referendum.

§ 717.8 [Revoked]

2. Section 717.18 of the regulations governing the holding of county referenda in 1966, 1967, and 1968 for out-of-county transfers of upland cotton allotments (31 F.R. 6533) is repealed.

(Secs. 312, 317, 336, 343, 344a, 354, 358, 375, 377, 52 Stat. 46, 55, 56, 61, 66, as amended, 55 Stat. 88, 70 Stat. 206, as amended, 79 Stat. 66, secs. 106, 112, 70 Stat. 191, 195, 79 Stat. 1197; 7 U.S.C. 1312, 1314c, 1336, 1343, 1344a, 1354, 1358, 1375, 1377, 1824, 1836)

[F.R. Doc. 66-10043; Filed, Sept. 13, 1966; 8:48 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 177, Amdt. 1]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 908.477 (Valencia Orange Regulation 177, 31 F.R. 11656) are hereby amended to read as follows:

§ 908.477 Valencia Orange Regulation 177.

* * * * *

(b) *Order.* (1) * * *

(ii) District 2: 425,000 cartons.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: September 9, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-10045; Filed, Sept. 13, 1966; 8:48 a.m.]

[Lemon Reg. 230, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 910.530 (Lemon Regulation 230; 31 F.R. 11656) are hereby amended to read as follows:

§ 910.530 Lemon Regulation 230.

* * * * *

(b) *Order.* (1) * * *

(ii) District 2: 232,500 cartons.

* * * * *

(Secs. 1–49, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: September 9, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-10046; Filed, Sept. 13, 1966; 8:49 a.m.]

[Grapefruit Reg. 8; Grapefruit Reg. 7 Terminated]

PART 944—FRUIT; IMPORT REGULATIONS

Grapefruit

§ 944.104 Grapefruit Regulation 8.

(a) On and after 12:01 a.m., e.s.t., September 19, 1966, the importation into the United States of any grapefruit is prohibited unless such grapefruit is inspected and meets the following requirements:

(1) Seeded grapefruit shall grade at least U.S. No. 1 Golden and be of a size not smalle than $3\frac{15}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit; and

(2) Seedless grapefruit shall grade at least Improved No. 2 and be of a size not smaller than $3\frac{9}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit.

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, is hereby designated as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of grapefruit that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with appropriate evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of grapefruit, is required on all imports of grapefruit. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in southern California, importers of grapefruit should make arrangements for in-

spection, through the applicable one of the following offices, at least the specified number of days prior to the time when the grapefruit will be imported:

Ports	Office	Advance notice
All Texas points	W. T. McNabb, 222 McClendon Bldg., Harlingen, Tex. 78551 (Phone—Garfield 3-5644), or	1 day.
	James L. Williams, Room 516, U.S. Courthouse, El Paso, Tex. 79901 (Phone—Keystone 3-9351, Ext. 340).	Do.
All New York points	Edward J. Beller, 346 Broadway, Room 306, New York, N.Y. 10013 (Phone—Rector 2-8000, Ext. 807).	Do.
All Arizona points	R. H. Bertelson, Room 202, Trust Bldg., Nogales, Ariz. 85621 (Phone—Atwater 7-3466).	Do.
All Florida points	Lloyd W. Boney, 1200 Northwest 21 Terrace, Room 5, Miami, Fla. 33166 (Phone—Franklin 1-6933) or	Do.
	Hubert S. Flynt, 775 Warner Street, Post Office Box 6697, Orlando, Fla. 32803 (Phone—Garden 2-2447).	Do.
All California points	Carley D. Williams, 294 Wholesale Terminal Bldg., 784 South Central Ave., Los Angeles, Calif. 90021 (Phone—Madison 2-8756).	3 days.
All other points	D. S. Matheson, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agricultural, Washington, D.C. 20250 (Phone—Dudley 8-5870).	Do.

(c) Inspection certificates shall cover only the quantity of grapefruit that is being imported at a particular port of entry by a particular importer.

(d) The inspection performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title). The cost of any inspection and certification shall be borne by the applicant therefor.

(e) Each inspection certificate issued with respect to any grapefruit to be imported into the United States shall set forth, among other things:

(1) The date and place of inspection;

(2) The name of the shipper, or applicant;

(3) The commodity inspected;

(4) The quantity of the commodity covered by the certificate;

(5) The principal identifying marks on the container;

(6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, or other identification of the shipment; and

(7) The following statement if the facts warrant: Meets U.S. import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

(f) Notwithstanding any other provision of this section, any importation of grapefruit which, in the aggregate does not exceed five standard nailed boxes, or equivalent quantity, may be imported without regard to the restrictions specified herein.

(g) It is hereby determined that imports of grapefruit, during the effective time of this section, are in most direct competition with grapefruit grown in the State of Florida. The requirements set forth in this section are the same as those being made effective for grapefruit grown in Florida.

(h) No provisions of this section shall supersede the restrictions or prohibitions on grapefruit under the Plant Quarantine Act of 1912.

(i) Nothing contained in this section shall be deemed to preclude any importer from reconditioning prior to importation any shipment of grapefruit for the purpose of making it eligible for importation.

(j) The terms used herein relating to grade, diameter, standard pack, and standard box shall have the same meaning as when used in the U.S. Standards for Florida Grapefruit (§§ 51.750–51.783 of this title); "Improved No. 2" shall mean grapefruit grading at least U.S. No. 2 and also meeting the requirements of the U.S. No. 1 grade as to shape (form) and color. Importation means release from custody of the U.S. Bureau of Customs.

(k) Grapefruit Regulation 7 (§ 944.-103, 29 F.R. 12762, 13603; 30 F.R. 257, 754, 4055, 5359, 6065, 6638, 11713, 14361; 31 F.R. 2728, 5569, 6959) is hereby terminated at the effective time hereof.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this regulation beyond that herein specified (5 U.S.C. 1001–1011) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), which makes such regulation mandatory; (b) the grade and size requirements of this import regulation are the same as those being made effective on domestic shipments of grapefruit under Grapefruit Regulation 63 (§ 905.485); (c) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time; and (d) notice hereof in excess of 3 days, the minimum that is prescribed by said section 8e, is given with respect to this import regulation; and (e) such notice is hereby determined, under the circumstances, to be reasonable.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: September 9, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-10047; Filed, Sept. 13, 1966; 8:49 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 79]

PART 1079—MILK IN DES MOINES, IOWA, MARKETING AREA

Order Amending Order

§ 1079.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Des Moines, Iowa, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than upon FEDERAL REGISTER publication. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Associate Administrator was issued August 23, 1966, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued September 6, 1966. The

changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective upon FEDERAL REGISTER publication, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001–1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Des Moines, Iowa, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

Section 1079.12(a) is revised to read as follows:

§ 1079.12 Pool plant.

* * * * *

(a) A distributing plant from which a volume of Class I milk equal to not less than 35 percent of the Grade A milk received at such plant from dairy farmers and from other plants is disposed of during the month on routes (including routes operated by vendors) or through plant stores to retail or wholesale outlets (except pool plants) and not less than 15 percent of such receipts or an average of not less than 7,000 pounds per day, whichever is less, is so disposed of to such outlets in the marketing area: *Provided,* That if a portion of a plant is physically apart from the Grade A portion of such plant, is operated separately and is not approved by any health authorities for the receiving, processing, or packaging of any fluid milk product for Grade A disposition, it shall not be considered as part of a pool plant pursuant to this section.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date. Upon FEDERAL REGISTER publication.

Signed at Washington, D.C., on September 9, 1966.

JOHN A. BAKER,
Acting Secretary.

[F.R. Doc. 66–10008; Filed, Sept. 13, 1966; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Three-Way Promotional Plan Set Up by Radio Station and Financed by Participating Retailers and Their Suppliers

§ 15.88 Three-way promotional plan set up by radio station and financed by participating retailers and their suppliers.

(a) A radio station has been advised by the Federal Trade Commission that its proposed three-party promotional plan as originally presented would be unlawful because it would not be available to all competing customers in a practical business sense, but that subsequent revisions in the basic plan, coupled with the addition of an alternative plan, now bring the basic plan within the requirements of functional availability. However, the revised plan contains one defect which will be discussed later, and which will receive correction before Commission approval can be given.

(b) The proposal involves the furnishing of background music and in-store commercial announcements to retail establishments. The radio station would install, without cost, the necessary receiving equipment in each participating retail store. The products advertised will be limited primarily to grocery store items. Each store would pay a fixed amount for the background music, depending upon the number of speakers (one speaker for every 600 square feet of floor space). The value of the in-store message to the participating supplier will be measured and paid for on the basis of the total number of persons exposed to the in-store commercials at a fixed rate per thousand estimated weekly transactions. As originally submitted, no alternative plan or plans would be offered.

(c) In its first advisory opinion, the Commission said that the legality of the proposed plan raised the following two questions: (1) Did it meet the requirement of functional availability since there was no provision for an alternative plan or plans? (2) Did it provide for payments to all competing purchasers on proportionally equal terms if the method of payment for the in-store commercials is based upon the number of customers who are exposed to said commercials?

(d) With respect to the first question, the Commission noted that a promotional plan must be within the reach of all competing customers of the supplier in a practical business sense, otherwise it does not comply with the requirement of functional availability. After having examined the plan, the Commission concluded it would not be available to all competing customers in a practical business sense for a variety of reasons.

(e) "In the first place," the Commission said, "retail outlets such as drug and department stores which may carry some food products but which may also carry a variety of other products may find it impractical to participate in the plan, since, due to the layout of these stores, the broadcasting of commercials limited primarily to food products, may interfere with their sales of other products. Second, retailers who already have existing contracts for background music from other sources would find it difficult, if not impossible, to operate under the proposed plan. Third, those food stores which do not carry all participating brands could not be expected to broadcast in-store commercials promoting the sale of products which they do not stock and which may be carried by their competitors. We have doubts that the alternate solution offered under the plan would resolve these difficulties. In the first place, an assumption of contracts of competitors by the radio station under the circumstances might raise other antitrust problems. Second, although the proposed plan provides that any store may discontinue the plan at the end of the first year without any obligation for outstanding charges if the credits earned for in-store commercials do not offset music and speaker charges, this provision would in no way eliminate possible discrimination against such stores during subsequent years."

(f) The Commission was of the opinion that the foregoing examples "clearly demonstrate that the basic plan would not be available in a practical business sense to a substantial number of competing retailers and therefore would not meet the requirement of functional availability." Under these circumstances, and in the absence of an alternative plan or plans for those who cannot use the basic plan, the Commission concluded that the proposed plan, if enacted, would not be in conformity with the requirements of sections 2 (d) and (e) of the Robinson-Patman Act. It cited with approval the following portion of its announcement of September 21, 1965, setting forth certain guidelines for three-party promotional assistance plans: "* * * a reasonable alternative means of participation must be included in such plans for eligible customers who are unable to use the basic plan."

(g) Having concluded in its original opinion that the proposed plan does not meet the test of functional availability, the Commission did not find it necessary to discuss or reach a conclusion with respect to the second question presented by the request as to whether the method of

payment for the in-store commercials, which is to be based upon the number of customers exposed to said commercials, meets the requirement of proportionality.

(h) Shortly after the Commission issued its original opinion, counsel for the requesting party filed an amendment to the original plan. The amended plan made provision for an alternative plan for those who could not use the basic plan, and also made certain revisions in the basic plan.

(i) Revisions of the basic plan provide for the installation of broadcast equipment in drug and department stores in such a manner that the in-store commercials will not interfere with the sale of other products. Retailers who presently subscribe to background music from other sources may have equipment installed by the requesting party, without cost, which would permit interruption of the music by spot announcements (alternative plan 1). Retailers who do not carry all products sponsored under the plan can have in-store announcements which merely urge customers to buy those products identified by the sponsor's marker, rather than promoting specific brands (alternative plan 2). A third alternative plan has also been proposed under which the facilities of retail stores will be provided with promotional and advertising services at the point-of-sale of the sponsor's products.

(j) Under both the basic plan and the alternative plans, the value of the services performed by the retailers for the participating supplier will be measured and paid for on the basis of the total number of persons exposed to the in-store commercials and point-of-sale material at a fixed rate per thousand estimated weekly transactions.

(k) After having reviewed the plans as now proposed, the Commission was of the opinion that the basic plan now meets the requirement of functional availability. The Commission was also of the opinion that under the circumstances of the intended use of this plan, the proposed method of payment for the in-store commercials and point-of-sale advertising, which is to be based upon the number of consumers exposed to said advertising, meets the requirement of proportionality under section 2 (d) and (e) of the Robinson-Patman Act.

(l) Insofar as using the number of consumers exposed to the commercials as the standard for measuring payments to retailers, the Commission felt this method accords with the value of the service to the supplier and in the long run will probably correspond fairly close to the amount of purchases of the supplier's product. One reason for this is that suppliers probably will not join the plan or stay with it if they find they are making payments to stores without any corresponding increase in their volume of sales by those stores. Therefore, under these circumstances the Commission felt it was reasonable to permit proportionalization to be based on the estimated number of customers, particularly where, as in this case, the measure for estimating the number of customers is weighted in favor of the smaller stores.

(m) The Commission, however, was of the opinion that the proposed plan must be rejected because the rate of payment under the alternative plans is one-half the amount paid under the basic plan and is therefore clearly not proportionally equal to the payments to be made under the basic plan. The Commission feels that such discriminatory payment provisions cannot be justified on the ground that the services rendered under the basic plan may be more valuable to the supplier. In a typical case under the basic plan, a store with 20 speakers would clear approximately $65 per month over and above the amount it would pay for music charges, whereas an equivalent size store utilizing the alternative plan would clear approximately $5. Thus, if a supplier were to furnish free music to one store and not to its competitor, it would be clear that section 2(e) would be violated; the discrimination herein would be equally unlawful. The Commission felt, therefore, that this substantial disparity in payments must be eliminated before the plan can be approved. If this is done, the Commission would give its approval to the plan.

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: September 13, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66–10020; Filed, Sept. 13, 1966; 8:46 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Proportionalized Equal Treatment for Competing Customers Under Three-Way Promotional Program Involving Recipes for Free Distribution

§ 15.89 Proportionalized equal treatment for competing customers under three-way promotional program involving recipes for free distribution.

(a) The Commission approved, with qualification, the use of a tripartite recipe plan promoting the sale of food products.

(b) Under the terms of the proposed plan, recipes will be supplied without charge to all food stores in a given marketing area for free distribution to the stores' customers. Each store which participates in the plan will have its name imprinted on the recipe card, together with the names of the participating food suppliers and their products. Availability of the plan will be publicized in a monthly trade magazine.

(c) No money will be paid to retail stores which participate in the plan, and it will be supported solely on the basis of the sale of advertising to various food suppliers who will pay a certain fee per 1,000 recipe cards to the promoter of the plan. The promoter will in turn have the recipe cards printed and distributed to the participating retailers.

(d) In its opinion the Commission said that section 2(e) of the Robinson-Patman Act "requires a supplier to treat all of his competing customers on a nondiscriminatory basis, which means that if the supplier furnishes promotional assistance to one customer he must make that assistance available on proportionally equal terms to all competing customers." The Commission also pointed out that the courts have affirmed the principle that a "supplier must comply with this provision of the law (sec. 2(e) of the R–P Act) irrespective of whether the promotional assistance is furnished to the retailer directly or through an intermediary."

(e) In giving its qualified approval to the proposed plan, the Commission said that the following three conditions must be met:

(1) All competing retailers must in fact be notified of their right to participate in the proposed plan. (The Commission did not pass upon the adequacy of the proposed means of notification because it did not have the facts upon which to base a judgment.)

(2) The plan will be offered to all competing retailers. This means that some retailers who, geographically, are not in a given marketing area must be offered the plan if they are on the periphery of that marketing area and in fact compete with the favored retailers.

(3) The plan will be made available to all competing retailers irrespective of their functional classification. Thus, nonfood stores which handle food items sold in grocery stores must also be accorded the same opportunity to participate in any promotional assistance given by the food suppliers to competing grocery outlets.

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: September 13, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66–10021; Filed, Sept. 13, 1966; 8:47 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

SUBCHAPTER G—APPROVED FORMS, NATURAL GAS ACT

[Docket Nos. R–283, R–291; Order 327]

PART 260—STATEMENTS AND REPORTS (SCHEDULES)

Reporting of Pipeline Accidents and Failures

SEPTEMBER 8, 1966.

Annual reports of classes A, B, C, and D, Natural Gas Companies subject to the Natural Gas Act. Miscellaneous amendments to FPC Forms 2 and 2–A; Docket

No. R–283 [1]; telegraphic reporting of accidents involving certificated facilities of Natural Gas Pipeline Company; Docket No. R–291.

This order amends Part 260 of the Commission's regulations to require natural gas companies (a) to notify the Commission by telegram or telephone of certain pipeline failures, defined in the rule, occurring on facilities certificated by the Commission and (b) to submit a detailed report by mail within 20 days. In addition the pipeline company is required to furnish a copy of both of these reports to the state regulatory commission in the state or states where the accident or failure occurred and the telegraphic report to the state commission in those states where service might be affected. In order to expedite attention to serious accidents, this order provides for telephonic reports of accidents which cause a fatality or interruption of service to a wholesale customer. Finally, the company in its annual report to the Commission shall list and supply summary information with respect to the failures which had been individually reported during the year covered by the report. The information furnished pursuant to the rule will keep the Commission informed of serious accidents or failures and will assist it in developing comprehensive data on the causes of pipeline failures.

Notice was issued in Docket No. R–283 on September 20, 1965 (30 F.R. 12361, Sept. 28, 1965), and in Docket No. R–291 on November 2, 1965 (30 F.R. 14111, Nov. 9, 1965).

Eleven natural gas companies,[2] the Independent Natural Gas Association of America (INGAA), and the Public Service Commission of Michigan submitted comments in Docket No. R–291.

We received comments in Docket No. R–283 on the specific data which we proposed to require to be submitted in the report of details from eight pipeline companies,[3] the Kansas State Corporation Commission, INGAA, and Martin T. Bennett, a consulting engineer.

INGA and several companies requested that the Commission defer action on Dockets Nos. R–283, R–290, and R–291, until the whole matter of safety could be comprehensively analyzed and discussed by a select committee of the industry and the Commission. A conference was held on January 19, 1966, between INGAA and the Commission to discuss the proposals in these three proceedings. We have given careful consideration to all industry comments and have adopted many of the suggestions for improvement of the regulations.

As originally noticed, the proposed rules called for reports on accidents or failures (1) which required taking any segment of pipeline out of service; or (2) in which gas escaped and ignited; or (3) which caused property damage of $1,000 or more; or (4) which caused a fatality or injury requiring hospitalization. The rule, as noticed in Docket No. R–291, required first a telegraphic report and then a detailed report within 10 days. Docket No. R–283 then proposed to require a repetition in the annual report of the information supplied in the individual report. The major objection of the industry in Docket No. R–291 (applicable also to Docket No. R–283) was that the definition of reportable accident would require the reporting of numerous unimportant incidents and failures because it was not clear whether testing or maintenance shutdowns were to be included. Consequently, at the January 19th conference INGAA recommended a narrower definition of reportable accident than we had proposed.[4] Although, we do not fully adopt INGAA's suggestion, we have narrowed our definition of reportable accident substantially to make it clear that occurrences connected with routine maintenance or construction, pinhole leaks, and testing failures are not to be reported except under certain circumstances and also to make $5,000 rather than $1,000 of estimated property damage the reporting threshold. Several companies thought that $1,000 was too low, a majority suggested $5,000 and a few $10,000 or higher. Some suggested that the limit only refer to the noncompany property while others did not want to report separate estimate of damage to noncompany property on the grounds that it might prejudice them in subsequent litigation. We believe that an estimate of damage only to noncompany property is not as relevant as an estimate of total damage for the purposes of determining the seriousness of a failure and consequently will require only a combined total. In place of the monetary estimate of company damage, we are requiring a brief description of the actual damage. The possibility of prejudice in a damage suit will be lessened by the fact that an estimate of combined damage, not damage to others, is to be reported. We have added a fifth category of reportable accidents, suggested by the discussion with INGAA at the January 19 conference—those which are in the judgment of the company significant, but which do not meet the other criteria specifically named.

Several States require the reporting of a natural gas company's accidents to the State public utility commission,[5] and a number define a reportable accident to include more incidents than our rule. For example, the only three States which use specific estimates of damage as criteria for determining a reportable accident, Massachusetts, Rhode Island, and New Jersey, require the reporting of accidents resulting in property damage of over $500. Michigan requires reports on accidents "* * * resulting in serious property damage or loss of gas" and Washington requires reports on accidents "causing * * * substantial damage to property."

We are also requiring that the company send a copy of the telegram and the detailed written report to the State commission where the failure occurred, and also, in response to a suggestion by the Michigan Public Service Commission, which itself requires accident reports, we are requiring that copies of the telegraphic reports be sent to the State regulatory commission in the State or States where service might be affected by the occurrence. We believe that such reporting may prove particularly useful to States dependent upon out-of-State supplies, although we note that Kansas Corporation Commission (which also requires accident reports) advises that it would have no direct need at this time for the specific data to be reported in the detailed report under our rule.

Natural Gas Pipeline Co. and Panhandle Eastern Pipe Line Co. challenged the Commission's statutory authority to require telegraphic reports. Panhandle contended that such reports were not needed or required by the Commission

[1] The notice issued in Docket No. R–283 proposed, among other things, the revision of the schedule "Service Interruptions and Property Damage" in FPC Form 2 and the addition of such a schedule to FPC Form 2–A. The Commission deferred consideration of these matters when it issued Order No. 310, in that docket, on Dec. 8, 1965, 34 FPC ____, 30 F.R. 15465. Since those proposals relate, generally, to the subject matter of the proceeding in Docket No. R–291, they will now be considered.

[2] Algonquin Gas Transmission Co., Columbia Gas System Service Corp., El Paso Natural Gas Co., Equitable Gas Co., Lone Star Gas Co., Michigan Gas Storage Co., Northern Natural Gas Co., Pacific Gas Transmission Co., Panhandle Eastern Pipe Line Co., Texas Eastern Transmission Corp., Transwestern Pipeline Co.

[3] Columbia Gas System Service Corp., El Paso Natural Gas Co., Natural Gas Pipeline Company of America, Panhandle Eastern Pipe Line Co., Texas Gas Transmission Corp., Trunkline Gas Co., Union Light, Heat & Power Co., United Gas Pipe Line Co.

[4] INGAA's proposed definition was: "an accident or transmission operating failure involving facilities operated under certificate authorization from the Commission shall be a rupture or break in the pipeline material, valve or pipe fitting, or a failure in a compressor station which results in (i) fatality or personal injury requiring hospitalization, (ii) loss of service to a market of the company, (iii) ignition of the total stream of gas moving in the pipeline, or (iv) estimated damage to property of third parties of $10,000 or more."

[5] Connecticut P.U.C., order Mar. 12, 1962, Docket No. 10050, sec. 37; P.S.C. of Indiana, rules for gas utilities, cause No. 30281, approved Apr. 2, 1964, Rule 22; Kansas State Corporation Commission; rules and regulations relating to standards of quality, pressure, accuracy of measurement, safety and service of natural gas, Docket 34856–U, Jan. 16, 1961, sec. 705; Maryland P.S.C., regulations governing service supplied by gas companies, order No. 5567, July 1, 1964, sec. 203.6; Massachusetts Department of Public Utilities, order, Jan. 23, 1963, D.P.U. 9734–B, sec. 8; Michigan P.S.C. Gas Safety Code, Order D–3913, sec. R–460.862.1; New Hampshire P.U.C., rules and regulations prescribing standards for gas utilities, order No. 7790, Jan. 11, 1962, sec. 30; New Jersey Department of Public Utilities, order in Docket No. 6663, sec. 29; Oregon, rules and regulations of the public utility commissioner sec. 24–045; Pennsylvania, P.U.C., gas regulations, effective Jan. 1, 1963, sec. 202, Rule 1; Rhode Island Department of Business Regulations, Division of Public Utilities, Nov. 1, 1955, sec. 15; Washington P.S.C. consolidated causes No. U–8799 and U–8800, Rule 25.

because the reports would be after the fact and could in no way aid the Commission in its regulation of rates, extension of facilities, and other matters relating to the transportation and sale of natural gas in interstate commerce. We are convinced that such reports individually and collectively will assist both the Commission and the industry to fulfill their obligation to the public of better service through increased efficiency and reliability. We also believe we have full statutory authority to issue this order under section 7 (which applies to the extension, abandonment, and certification of facilities, section 10 (which authorizes the Commission to prescribe reports as necessary or appropriate to assist it in administering the Act), section 13 (which authorizes complaints by States, municipalities and State commissions), section 14 (which authorizes investigations), and section 16 (which deals with the administrative powers of the Commission).

We found the comments on the specific data which we proposed to require helpful and have adopted many of the changes suggested. We have altogether eliminated three items as not necessary.[6] A few companies commented that some of the data asked for in the detailed report would not be relevant for some failures. For example, data on cathodic or other corrosion protection are not relevant if earth-moving equipment punctures the pipe. Our rule, therefore, makes clear that certain data may be omitted if it is not relevant to the cause of the failure.

Others commented that the specific data asked for in the detailed report will not always be available in 10 days. We have relaxed the rule as proposed and it now provides 20 days for submission of the report of details. The rule further states that any additions or changes to the 20-day report should be submitted when they become known, in a supplement to that report. We have also revised some of the items to make them more specific and meaningful.[7] We have added four items: three of these more specifically ask for data on the pipeline facility using the ASA B31.8 Code as a reference point[8] and one is a more specific question on the environment in which the pipe is located.[9]

The rule proposed in Docket No. R-283 would have required the complete contents of the written individual reports to be included also in the annual report. It was mentioned at the meeting with INGAA that this is not necessary and we are by this order, in fact, reducing the amount of information on each reported accident below that which is now required in the annual reports. Since we need only one detailed report of each failure, the annual report schedule here prescribed requires only an identification of each failure and the dates on which the detailed written report and any supplements were filed. Martin T. Bennett made two other specific suggestions which we have not adopted. One was to require the location class at the time of the accident. We believe this is included in the definition of construction type which we are prescribing. The other was that we require the distance to the nearest upstream compressor station, and the discharge pressure before the failure as well as the nearest pressure reading both upstream and downstream. We do not believe this information is necessary for our purposes in view of the related information being required.

The Commission finds:

(1) The adoption of these amendments is necessary and appropriate for the administration of the Natural Gas Act.

(2) The revisions and additional items of information which we have added in the written detailed report and which did not appear in the original notice are supplementary to and add specificity to items originally noticed and do not constitute substantive changes in the reporting requirement proposed. Further notice and opportunity for comment thereon pursuant to section 4(e) of the Administrative Procedure Act prior to adoption and promulgation is therefore unnecessary.

The Commission, acting pursuant to the authority of the Natural Gas Act particularly sections 7, 10, 13, 14, and 16 (52 Stat. 824, 826, 827, 828, 830; 56 Stat. 84; 15 U.S.C. 717f, 717i, 717l, 717m, 717o), orders:

(A) Part 260, Subchapter G, Chapter I, of Title 18 of the Code of Federal Regulations is amended by adding a new § 260.9 to read as follows:

§ 260.9 Reports by natural gas pipeline companies on pipeline system accidents or failures.

(a) Every natural gas pipeline company shall report to the Federal Power Commission any pipeline system accident or failure involving facilities operated under certificate authorization from the Commission which:

(1) Causes any fatality or personal injury requiring hospitalization; or

(2) Requires the taking of any segment of pipeline out of service; or

(3) Results in gas escaping from the pipeline and igniting; or

(4) Causes estimated damage to the property of the company and others of a combined total of at least $5,000; or

(5) Is significant, in the judgment of the company, even though it does not meet the criteria of subparagraphs (1) through (4) of this paragraph. Plant or equipment shutdowns, reductions in pressure, the escape and ignition of gas, or the taking of a segment of pipeline out of service, solely as a consequence of, or in connection with, planned or routine maintenance or construction; pinhole leaks in the pipe; and failures during testing of pipe or equipment, are not to be reported, except under conditions of subparagraphs (1), (4), and (5) of this paragraph.

(b) Natural gas pipeline companies shall report such accidents by telephone or telegram to the Chief, Pipeline Division, Bureau of Natural Gas, Federal Power Commission, 441 G Street NW., Washington, D.C., at the earliest feasible moment following the accident or failure and shall state briefly the (1) location and (2) time thereof and (3) the extent of injuries, and (4) all other significant facts known then to the company relevant to the cause of the failure or the extent of damages. Any such accidents which result in a fatality or interruption of service to a wholesale customer shall be reported by telephone (Area Code 202, 393-0100).

(c) To the extent that such information is then available, natural gas pipeline companies shall furnish to the Commission within 20 days of each pipeline system failure or accident defined in paragraph (a) of this section a written detailed report of such failure containing the following information:

(1) Date and hour.

(2) Location—city, county, State, line designation, and milepost number.

(3) Number of deaths, if employee, so specify.

(4) Number of injuries, if employee, so specify.

(5) (i) Combined monetary estimate of damage to the property of the company and others.

(ii) Brief description of damage to affected facility.

(6) Service interruption.

(i) Customers affected (specify by customer class).

(ii) Duration of interruption.

(7) Description of cause of accident or failure, to the knowledge of the reporting company.

(8) Emergency actions taken.

(9) Description of affected facility. Give: (i) Description and year installed. If pipe also give: (ii) Length, (iii) diameter, (iv) wall thickness, (v) steel specification number, (vi) grade, and (vii) pipe class per ASA B31.8, paragraph 841.12; if coupling or joint involved, denote type.

(10) Has any extra protection been necessary due to special conditions in the environment of the pipe such as stream-bed, high-tension lines, or highway crossing? If so, what extra protection was provided?

[6] Design operating pressure; measurable pit depths; reconstruction costs.

[7] Estimated property damage; description of affected facility; applicable safety code.

[8] (1) "Construction type required for facility by ASA B31.8, paragraph 841, if installed at time of accident." The construction type, as used in the ASA code, determines the highest pressure, for safety purposes, expressed as a percent of the minimum yield strength which a pipe in any given locality may use under the ASA standards. The main factor determining construction type is the population density.

(2) "Maximum allowable operating pressure allowed for facility by ASA B31.8 if installed at time of accident." This indicates the maximum safe pressure which the most current ASA safety code would allow.

(3) "Maximum pressure allowed by state law." This may in some cases be lower than that prescribed by the ASA code.

[9] Extra protection needed for pipe due to special environmental conditions. This will indicate if any conditions which could affect the life of the pipe were present.

(11) Construction type per ASA Code B31.8, paragraph 841 required for the facility if installed at time of accident.

(12) (i) Maximum allowable operating pressure per ASA Code B31.8 for the facility if installed at time of accident. If company uses a standard other than ASA Code B31.8, give also the maximum allowable pressure under such standard and an explanation of such standard.

(ii) Maximum operating pressure allowed by State law, if applicable.

(13) Operating pressure at time of accident or failure (p.s.i.g.).

(14) Results of any metallurgical tests made on facility involved in failure. Indicate the degree of corrosion and reduction in net effective wall thickness of the segment and preventive measures taken, if applicable.

(15) Method used in testing affected facility to withstand design operating pressure. Describe any periodic leak tests. Describe any upgrading or downgrading of operating pressure.

(16) Description of coating and wrapping materials, method of application and frequency of inspection. If not coated, state why.

(17) Was facility subject to cathodic protection? If so, state the frequency of inspection of protective device and facility affected. If not cathodically protected, state why.

(18) Results of any soil resistivity and soil chemical tests in the area of the facility affected. Indicate degree to which soil bed or the terrain (such as level, rolling, steeply graded) might have contributed to corrosion or failure of the facility.

(d) The company shall file supplements to this detailed report if complete information later becomes available or changes are necessary after this report is filed. The data in items (11) through (18) may be omitted if they are not relevant to the cause of the failure. In these cases the reporting company shall briefly indicate why such information is not relevant.

(e) Copies of both the telegraphic report and the written report shall be sent to the State regulatory commission in the State where the failure occurred. Copies of the telegraphic report shall also be sent to the State commission in those States where service might be affected by the failure.

(f) Natural gas companies shall submit to the Commission an original and three conformed copies of the 20-day report of details and any supplements thereto.

(B) The schedule, "Service Interruptions and Property Damage" on page 568 of FPC Form No. 2, prescribed by § 260.1 of said Part 260 is deleted and the following schedule is substituted in its place:

PIPELINE SYSTEM ACCIDENTS AND FAILURES

For each pipeline facility accident or failure during the reporting year for which the Commission requires a report under § 260.9 of this part and for any unreported supplements to accident reports of preceding years, furnish the following information. This information correlates with items (1) through (6) of the detailed report required to be submitted to the Commission on each such accident or failure.

(1) (a) Date of accident or failure.

(b) Date or dates on which accident reports were filed pursuant to § 260.9 of this part.

(2) Location—city, county, State.

(3) Number of deaths, if any.

(4) Number of injuries, if any.

(5) Brief description of damage to affected facility.

(6) Service interruptions.

(i) Customers affected (specify by customer class).

(ii) Duration of interruption.

(C) FPC Form No. 2–A, prescribed by § 260.2 of the said Part 260 is amended by adding a new schedule on page 13, to read as set out in ordering paragraph (B).

(D) In order to correctly list the new schedules, §§ 260.1(c) and 260.2(c) are revised as follows:

(1) In § 260.1(c) revise the schedule title "Service Interruptions and Property Damage" to read "Pipeline System Accidents and Failures."

(2) In § 260.2(c), add to follow schedule title "Expenditures for Certain Civic, Political and Related Activities," a new title reading "Pipeline System Accidents and Failures."

(E) The proceeding in Docket No. R–283, insofar as it relates to the proposed schedule "Pipeline Systems Accidents and Failures" in both Form No. 2 and Form No. 2–A, is terminated.

(F) The amendment prescribed herein requiring telegraphic and detailed written reports shall be effective November 1, 1966. The amendments to the Annual Report, Forms 2 and 2–A, shall be effective for the reporting year 1966 and thereafter.

(G) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

(Secs. 7, 10, 13, 14, 16, 52 Stat. 824, 826, 827, 828, 830; 56 Stat. 84; 15 U.S.C. 717f, 717i, 717l, 717m, 717o)

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66–9998; Filed, Sept. 13, 1966; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER A—GENERAL

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Subpart H—Delegations of Authority

Subpart M—Organization

PART 8—COLOR ADDITIVES

Miscellaneous Amendments

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a)) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), and pursuant to section 3(a)(1) of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1002), Chapter I of Title 21 is amended as follows to reflect organizational changes in the Food and Drug Administration:

1. Section 2.121 (31 F.R. 3008) is amended by changing paragraphs (a), (f), (h), (i), and (j) and by deleting paragraph (g), as follows:

§ 2.121 Redelegations of authority from the Commissioner to other officers of the Administration.

* * * * *

(a) *General delegation of authority.* The Deputy Commissioner of Food and Drugs and the Associate Commissioner for Compliance are authorized to perform all the functions of the Commissioner of Food and Drugs.

* * * * *

(f) *Delegations regarding certification of color additives.* The Director of the Bureau of Science and the Director of the Division of Color Certification and Evaluation of that Bureau are authorized to certify batches of color additives for use in food, drugs, or cosmetics, pursuant to section 706 of the Federal Food, Drug, and Cosmetic Act.

(g) [Deleted]

(h) *Delegations regarding certification of insulin.* The Director of the Bureau of Science and the Director of the Division of Antibiotics and Insulin Certification of that Bureau are authorized to exercise the functions and duties of the Commissioner under the regulations insofar as such duties and functions involve the certification of batches of drugs containing insulin as contemplated by § 164.3 (a) and (c) of this chapter or approval of the use of materials as contemplated by § 164.2 (j) and (k) of this chapter.

(i) *Delegations regarding certification of antibiotic drugs.* The Director of the Bureau of Science and the Director of the Division of Antibiotics and Insulin Certification of that Bureau are authorized to certify or reject batches of antibiotic drugs, or any derivative of these drugs, pursuant to section 507(a) of the Federal Food, Drug, and Cosmetic Act.

(j) *Delegations regarding approved new-drug applications for medicated feeds.* The Director of the Bureau of Veterinary Medicine is authorized to notify applicants of approved new-drug applications for medicated feeds, pursuant to § 130.10 of this chapter.

2. Section 2.171 (31 F.R. 3008) is revised to read as follows:

§ 2.171 Washington headquarters.[1]

The central organization of the Food and Drug Administration consists of:

[1] Current locations and addresses of these units may be obtained from the Office of Education and Information, 200 C Street SW., Washington, D.C. 20204.

OFFICE OF THE COMMISSIONER

Commissioner of Food and Drugs.
Deputy Commissioner of Food and Drugs.
Hearing Examiner.
Associate Commissioner for Compliance.
Associate Commissioner for Science.
Assistant Commissioner for Administration.
Division of Financial Management.
Division of General Services.
Division of Management Systems.
Division of Personnel Management.
Assistant Commissioner for Education and Information.
Assistant Commissioner for Planning and Evaluation.
Office of Federal-State Relations.
Office of International Affairs.
Office of Legislative Services.
Office of Policy Management.

BUREAU OF DRUG ABUSE CONTROL

Division of Case Assistance.
Division of Drug Studies and Statistics.
Division of Investigations.

BUREAU OF EDUCATION AND VOLUNTARY COMPLIANCE

Division of Consumer Relations.
Division of Industry Education.

BUREAU OF MEDICINE

Office of Drug Surveillance.
Division of Drug Monitoring.
Division of Epidemiology.
Division of Supplement Review.
Office of Medical Review.
Division of Case Review.
Division of Medical Advertising.
Division of Medical Devices.
Office of New Drugs.
Division of Anti-infective Drugs.
Division of Cardiopulmonary and Renal Drugs.
Division of Dental and Surgical Adjuncts.
Division of Metabolism and Endocrine Drugs.
Division of Neuropharmacological Drugs.
Division of Oncology and Radiopharmaceuticals.

BUREAU OF REGULATORY COMPLIANCE

Division of Case Supervision.
Division of Field Operations.
Division of Review and Appraisal.

BUREAU OF SCIENCE

Division of Antibiotics and Insulin Certification.
Division of Color Certification and Evaluation.
Division of Color and Cosmetic Chemistry.
Division of Food Chemistry.
Division of Food Standards and Additives.
Division of Microbiology.
Division of Nutrition.
Division of Pharmaceutical Chemistry.
Division of Pharmacology.
Division of Toxicological Evaluation.

BUREAU OF VETERINARY MEDICINE

Division of Veterinary Medical Review.
Division of Veterinary New Drugs.
Division of Veterinary Research.

3. Section 8.1 *Definitions and interpretations* is amended by changing in paragraph (e) the "Bureau of Scientific Standards and Evaluation," to read "Bureau of Science,".

Effective date. This order is effective upon publication in the FEDERAL REGISTER.

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: September 7, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66-10022; Filed, Sept. 13, 1966; 8:47 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 27—CANNED FRUITS AND FRUIT JUICES

Frozen Concentrate for Artificially Sweetened Lemonade

DEFINITION AND STANDARD OF IDENTITY

In the matter of establishing a definition and standard of identity for frozen concentrate for artificially sweetened lemonade:

A notice of proposed rulemaking in the above-identified matter was published in the FEDERAL REGISTER of June 17, 1966 (31 F.R. 8497), based on a joint petition filed by Libby, McNeill, & Libby, 200 South Michigan Avenue, Chicago, Ill. 60604, and the ReaLemon Division of the Borden Co., 350 Madison Avenue, New York, N.Y. 10017.

Six comments were received in response to the proposal. Four firms favored the compositional aspects of the proposal, but their comments included suggestions that the requirement for label declaration of added lemon oil be deleted. One firm protested the provision to permit the optional use of thickening and dispersing ingredients. Two firms requested that any artificial sweetener be permitted if it now has, or in the future may receive, food additive clearance pursuant to section 409 of the Federal Food, Drug, and Cosmetic Act.

In regard to the label declaration of added lemon oil, the order published in the FEDERAL REGISTER of June 17, 1966 (31 F.R. 8493), promulgating amendments to the standard for frozen concentrate for lemonade (21 CFR 27.101) recognized that lemon oil is invariably present in the food and did not require label declaration. The following order establishing the standard for frozen concentrate for artifically sweetened lemonade deals with the lemon juice ingredients, including lemon oil, by cross reference to the standard for frozen concentrate for lemonade. This has the effect of not requiring label declaration of lemon oil present in the artifically sweetened food. The other suggestions are not incorporated in this order.

Therefore, on the basis of the information supplied by the petitioners, comments received, and other relevant information, it is concluded that it will promote honesty and fair dealing in the interest of consumers to establish a definition and standard of identity for frozen concentrate for artifically sweetened lemonade as hereinafter set forth. Accordingly, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371), and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008): *It is ordered,* That Part 27 be amended by adding the following new section:

§ 27.103 Frozen concentrate for artificially sweetened lemonade; identity; label statement of optional ingredients.

(a) Frozen concentrate for artificially sweetened lemonade conforms to the definition and standard of identity prescribed for frozen concentrate for lemonade by § 27.101, except that in lieu of nutritive sweeteners it is sweetened with one or more of the artificial sweetening ingredients specified in paragraph (b) of this section, and the soluble solids specifications prescribed in § 27.101(a) do not apply. When the product is diluted according to directions which shall appear on the label, the acidity of the artificially sweetened lemonade, calculated as anhydrous citric acid, shall be not less than 0.70 gram per 100 milliliters. It may contain one or more safe and suitable dispersing ingredients serving the function of distributing the lemon oil throughout the food. It may also contain one or more safe and suitable thickening ingredients. Such dispersing and thickening ingredients are not food additives as defined in section 201(s) of the Federal Food, Drug, and Cosmetic Act; or if they are food additives as so defined, they are used in conformity with regulations established pursuant to section 409 of the act.

(b) The artificial sweetening ingredients referred to in paragraph (a) of this section are saccharin, sodium saccharin, sodium cyclamate, calcium cyclamate, or any combination of these.

(c) The name of the food is "frozen concentrate for artificially sweetened lemonade." The words "artificially sweetened" shall be of the same size and style of type as the word "lemonade."

(d) If an optional thickening or dispersing ingredient referred to in paragraph (a) of this section is used, the label shall bear the statement "_____ added" or "with added _____," the blank being filled in with the common name of the thickening or dispersing agent used. Such statement shall be set forth on the label with such prominence and conspicuousness as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase.

(e) Frozen concentrate for artificially sweetened lemonade is labeled to conform to the labeling requirements prescribed for foods which purport to be or are represented for special dietary use by regulations promulgated pursuant to section 403(j) of the act.

Any person who will be adversely affected by the foregoing order may at any time within 30 days following the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW.,

Washington, D.C. 20201, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies.

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: September 7, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-10023; Filed, Sept. 13, 1966; 8:47 a.m.]

PART 27—CANNED FRUITS AND FRUIT JUICES

Frozen Concentrate for Lemonade and for Colored Lemonade

CONFIRMATION OF EFFECTIVE DATE OF ORDER AMENDING IDENTITY STANDARDS

In the matter of amending the definition and standard of identity for frozen concentrate for lemonade (21 CFR 27.101) with respect to heat treatment of the lemon juice ingredient and labeling requirements pertaining to lemon oil; and amending the definition and standard of identity for colored lemonade (21 CFR 27.102) with respect to permitted colorings and labeling therefor:

In response to the order in the above-identified matter published in the FEDERAL REGISTER of June 17, 1966 (31 F.R. 8493), one firm submitted a letter protesting certain provisions or lack of provisions therein. It is concluded that said letter does not meet the requirements of section 701(e)(2) of the Federal Food, Drug, and Cosmetic Act and, therefore, does not justify staying the subject order and scheduling a hearing.

Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371), and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), notice is given that the amendments promulgated by that order will become effective December 14, 1966.

Stays of effective date were announced in the FEDERAL REGISTER of June 26, 1959 (24 F.R. 5216), for §§ 27.101(e)(1) and 27.102(b)(3). As of December 14, 1966, the subject order deletes § 27.101(e)(1) and ends the stay of effective date on § 27.102(b)(3).

(Secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: September 7, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-10024; Filed, Sept. 13, 1966; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER E—DEFENSE CONTRACT FINANCING

PART 163—DEFENSE CONTRACT FINANCING REGULATIONS

Miscellaneous Amendments

Part 163 is amended as follows:

1. Section 163.53 is revised to read as follows:

§ 163.53 Interest.

(a) Interest will be charged on all advance payments hereafter authorized, at the rate of 6 percent per annum on the unliquidated balance: *Provided, however,* Advance payments may be approved without interest when in connection with nonprofit contracts with nonprofit educational or research institutions for experimental, research and development work, or on nonprofit contracts in the dependents' medical care program, or on contracts solely for the management and operation of Government-owned plants, or, in unusual cases when specifically authorized by the Under or Assistant Secretary responsible for the comptroller function. In this connection, contracts for acquisition of facilities at cost, for Government ownership, in combination with or in contemplation of supply contracts or subcontracts, will be treated as ordinary profit contracts requiring interest on advance payments. This interest rate applies to increases and extensions.

(b) Contracts with interest-free advance payments, hereafter authorized, should provide that the contractor will charge interest at the rate of six percent per annum on subadvances or downpayments to subcontractors, and that interest charged on such subadvances or downpayments will be credited to the account of the Government. However, interest need not be charged on subadvances on nonprofit subcontracts with nonprofit educational or research institutions for experimental, research, or development work.

(c) Interest on advance payments will not be allowed as a cost under any cost-reimbursement type contract nor cost-reimbursement subcontract thereunder, and no such contract or subcontract may provide or be amended to provide for allowance of such interest as an item of cost.

2. In § 163.60, paragraph 2 of the form, following the heading "Determinations", is revised to read as follows:

§ 163.60 Findings, determinations, and authorizations.

* * * * *

DETERMINATIONS

2. Upon the basis of the foregoing findings, I hereby determine that the making of the proposed advance payments with interest of 6 percent per annum on the unliquidated balance of such advance payments (without interest except as provided by the proposed advance payment clause) (is in the public interest) (will facilitate the national defense).

* * * * *

3. In § 163.64–2, paragraph (n) of the advance payment provisions is revised to read as follows:

§ 163.64–2 Advance payment provisions.

* * * * *

(n) *Designations and determinations*—(1) *Amount.* The amount of advance payments at any time outstanding hereunder shall not exceed $_____ (or alternatively:)

(1) *Amount.* The aggregate amount of the advance payments to be made hereunder (less the aggregate amounts paid or withdrawn pursuant to paragraph (4)) shall not exceed $_____.

(2) *Depository.* The bank designated for the deposit of payments made hereunder shall be _____.

(3) *Interest charge.* Interest shall be charged in the manner provided herein at the rate of 6 percent per annum. (In the case of advance payments made without interest, insert the following:) No interest shall be charged for advance payments made hereunder, except as provided for in paragraph (k)(v)(*b*). The Contractor shall charge interest at the rate of 6 percent per annum on subadvances or down payments to subcontractors, and such interest will be credited to the account of the Government. However, interest need not be charged on subadvances on nonprofit subcontracts with nonprofit educational institutions for experiment, research or development work.

(4) *Administering office.* The office administering advance payments is designated as _____.

* * * * *

[Rev. 18 ASPR, Aug. 1, 1966] (Sec. 2202, 70A Stat. 120; 10 U.S.C. 2202. Interpret or apply secs. 301, 702(d), 64 Stat. 800, 816, as amended, secs. 2307, 7364, 70A Stat. 131, 455, as amended, sec. 1, 72 Stat. 972; 50 U.S.C. App. 2091, 2152(d), 10 U.S.C. 2307, 7364, 50 U.S.C. 1431, E.O. 10480, 18 F.R. 4939, 3 CFR 1953 Supp., E.O. 10789, 23 F.R. 8897, unless otherwise noted)

KENNETH G. WICKHAM,
Major General, U.S. Army
The Adjutant General.

[F.R. Doc. 66-9996; Filed, Sept. 13, 1966; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 9—Atomic Energy Commission

PART 9–7—CONTRACT CLAUSES

Subpart 9–7.50—Use of Standard Clauses

PART 9–12—LABOR

Subpart 9–12.1—Basic Labor Policies

Subpart 9–12.9—Service Contract Act of 1965

PART 9–16—PROCUREMENT FORMS

Subpart 9–16.50—Contract Outlines

MISCELLANEOUS AMENDMENTS

1. Section 9–7.5004–13, *Contract Work Hours Standards Act—Overtime Compensation,* is revised to read as follows:

§ 9–7.5004–13 Contract Work Hours Standards Act—Overtime Compensation.

See FPR 1–12.303 and AECPR 9–12.103–51.

2. Section 9–7.5004–15, *Labor (construction contracts),* is revised to read as follows:

§ 9–7.5004–15 Labor (construction contracts).

See FPR 1–16.901–19A and AECPR 9–12.103–51.

3. The following section is added:

§ 9–12.103–51 Retention of payroll and associated records.

Under certain cost-type contracts for the management and operation of AEC facilities, for the construction of major facilities, and for necessary miscellaneous construction incidental to the function of these facilities, the title to payroll and associated records is in the Government and such records are disposed of in accordance with AEC directions. For such contracts, the Solicitor of Labor has granted a tolerance from the Department of Labor Regulations to omit from the prescribed labor clauses the requirement for the retention of payrolls and associated records for a period of 3 years after completion of the contract. Under this tolerance, the records retention requirements for all labor clauses in the contract and the Fair Labor Standards Act is satisfied by disposal of such records in accordance with AEC directives.

4. Section 9–12.904–1, *Clause for Federal service contracts in excess of $2,500,* is revised to read as follows:

§ 9–12.904–1 Clause for Federal service contracts in excess of $2,500.

Subcontracts awarded by contractors operating and managing AEC facilities shall include the clause in FPR 1–12.904–1 with appropriate modifications (e.g., substitutions of "operating contractor" for "Contracting Officer" and "Government"; "subcontractor" for "Government Prime Contractor" and "Contractor"; "sub-subcontractor" for "subcontractor"; and the modification necessary if AECPR 9–12.103–51 applies).

5. Section 9–16.5002–2, *Outline of a cost-plus-a-fixed-fee supply contract (performed by commercial concerns in contractor's facilities),* paragraph (16) is revised to read as follows:

§ 9–16.5002–2 Outline of a cost-plus-a-fixed-fee supply contract (performed by commercial concerns in contractor's facilities).

* * * * *

(16) Contract Work Hours Standards Act—Overtime Compensation—FPR 1–12.303 with the modification necessary if AECPR 9–12.103–51 applies; or Walsh-Healey Public Contracts Act, FPR 1–12.605, if the contract exceeds $10,000.

* * * * *

6. Section 9–16.5002–4, *Outline of a cost-plus-a-fixed-fee construction contract, Article XXII–Labor,* is revised to read as follows:

§ 9–16.5002–4 Outline of a cost-plus-a-fixed-fee construction contract.

* * * * *

Article XXII—Labor.

(a) *Davis-Bacon Act (Act of Mar. 3, 1931, as amended; 40 U.S.C. 276a and following)*—Insert contract clause set forth in Standard Form 19A with the modification necessary if AECPR 9–12.103–51 applies.

(NOTE: This clause includes provisions required by regulations of the Department of Labor. Part 3, Title 29, Subtitle A, Code of Federal Regulations (7 F.R. 687 as amended) and Part 5, Title 29, Subtitle A, Code of Federal Regulations (16 F.R. 4430) as amended.)

(b) *Contract Work Hours Standards Act—Overtime Compensation.* Insert contract clause set forth in Standard Form 19A with the modification necessary if AECPR 9–12.103–51 applies.

* * * * *

7. Section 9–16.5002–5, *Outline of a cost-plus-a-fixed-fee architect-engineer contract, Article XXIII—Labor,* paragraph (a) is revised to read as follows:

§ 9–16.5002–5 Outline of a cost-plus-a-fixed-fee architect-engineer contract.

* * * * *

Article XXIII—Labor.

(a) *Contract Work Hours Standards Act—Overtime Compensation.* Insert contract clause set forth in FPR 1–12.303 with the modification necessary if AECPR 9–12.103–51 applies.

* * * * *

8. Section 9–16.5002–6, *Outline of a lump-sum architect-engineer contract (with cost reimbursement features), Article XVI—Labor,* paragraph (a) is revised to read as follows:

§ 9–16.5002–6 Outline of a lump-sum architect-engineer contract (with cost reimbursement features).

* * * * *

Article XVI—Labor.

(a) *Contract Work Hours Standards Act—Overtime Compensation.* Insert contract clause set forth in FPR 1–12.303 with the modification necessary if AECPR 9–12.103–51 applies.

* * * * *

9. Section 9–16.5002–9, *Outline of cost-type contract for research and development with educational institutions,* Article B–20—Contract Work Hours Standards Act—Overtime Compensation, is revised to read as follows:

§ 9–16.5002–9 Outline of cost-type contract for research and development with educational institutions.

* * * * *

ARTICLE B–20—CONTRACT WORK HOURS STANDARDS ACT—OVERTIME COMPENSATION

Insert Article in FPR 1–12.303 with the modification necessary if AECPR 9–12.103–51 applies.

* * * * *

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

Effective date. These amendments are effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 8th day of September 1966.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director, Division of Contracts.

[F.R. Doc. 66–9994; Filed, Sept. 13, 1966; 8:45 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Montezuma National Wildlife Refuge, N.Y.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

NEW YORK

MONTEZUMA NATIONAL WILDLIFE REFUGE

The public hunting of ducks, geese (except snow geese), brant and coots on the Montezuma National Wildlife Refuge, N.Y., is permitted from October 15, 1966, through November 20, 1966, inclusive, on Tuesdays, Thursdays, and Saturdays only, and only on the area designated by signs as open to hunting. This open area, known as the Storage Pool, comprises 1,340 acres and is delineated on maps available at refuge headquarters, Seneca Falls, N.Y., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunt-

ing shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese (except snow geese), brant and coots subject to the following special conditions:

(1) All hunters must have a special permit obtained in advance of the hunt. Applications for permit must be postmarked no later than October 1. Selection of applications will be by public drawing.

Successful applicants must appear in person at the refuge hunter checking station prior to one hour before local shooting time on the date reserved.

(2) Saturday, October 22, 1966, and Saturday, October 29, 1966, will be reserved for the Young Waterfowler's Training Program Hunt. A brochure describing this program is also available.

(3) Hunting will be only from specified blinds or shooting positions.

(4) Hunters must provide a minimum of six duck decoys and will be limited to 20 shells each, with shot size no larger than #2.

The provisions of this special regulation supplement of the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 20, 1966.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 66-10031; Filed, Sept. 13, 1966; 8:48 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 4; Amdt. 9; Docket No. 66-2]

PART 510—LICENSING OF INDEPENDENT OCEAN FREIGHT FORWARDERS

Subpart B—Duties and Obligations

OCEANGOING COMMON CARRIERS AND PERSONS SHIPPING FOR OWN ACCOUNT; CORRECTION

In the last sentence of the second paragraph of the prefatory language of the document published in the FEDERAL REGISTER on September 3, 1966 (31 F.R. 11652), the phrase "the originating carrier" should read "the originating forwarder".

In the second sentence of the third paragraph of the prefatory language of the above-mentioned document, the phrase "paid to the carrier" should read "paid to the forwarder".

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-10011; Filed, Sept. 13, 1966; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[7 CFR Part 301]

PINK BOLLWORM

Notice of Public Hearing on Extending Quarantine to State of California and Notice of Rule Making Relating to Such Quarantine and Supplemental Regulations

The Deputy Administrator of the Agricultural Research Service has information that the pink bollworm, *Pectinophora gossypiella* Saund., a dangerous insect which previously has been found to exist in certain parts of the States of Arizona, Arkansas, Louisiana, New Mexico, Oklahoma, and Texas, has been discovered in certain parts of the State of California.

Notice is hereby given that it is proposed under the authority of sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), to quarantine the State of California and to regulate, under the pink bollworm quarantine and supplemental regulations (7 CFR 301.52, 301.52–1 et seq.), the interstate movement from this State, or areas therein where the pink bollworm has been discovered or other basis for regulation exists, into or through any other State, Territory, or District of the United States of (1) okra and kenaf, including all parts of the plants; (2) cotton and wild cotton, including all parts of both cotton and wild cotton plants; (3) seed cotton; (4) cotton lint; (5) cotton linters; (6) cotton waste produced at cotton gins, cottonseed oil mills, or textile mills; (7) gin trash; (8) cottonseed; (9) cottonseed hulls; (10) cottonseed cake; (11) cottonseed meal; (12) used bagging and other used wrappers for cotton; (13) used cotton harvesting equipment; and (14) other farm products, other farm equipment, farm household goods, ginning and oil mill equipment, other cotton processing machinery, and means of conveyance, and, unlimited by the foregoing, any other products and articles of any character whatsoever, not within numbers (1) through (13) above, when it is determined in accordance with the regulations (§§ 301.52–1 to 301.52–10) that they present a hazard of spread of the pink bollworm.

Further, notice is hereby given under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that the Agricultural Research Service proposes to amend the pink bollworm quarantine and administrative instructions thereunder (7 CFR 301.52, 301.52–2a) by adding California to the States designated as quarantined and specifying regulated areas in said State for purposes of the regulations, if it is determined that such action is necessary.

A public hearing to consider the above proposals will be held before a representative of the Agricultural Research Service in Room B–109, State Building, 1350 Front Street, San Diego, Calif., at 10 a.m., P.d.t., on October 4, 1966, at which hearing any interested person may appear and be heard, either in person or by attorney, on the proposals.

Any interested person who desires to submit written data, views, or arguments on the proposals may do so by filing the same with the Director of the Plant Pest Control Division, Agricultural Research Service, U.S. Department of Agriculture, Federal Center Building, Hyattsville, Md. 20782, on or before October 10, 1966, or with the presiding officer at the hearing. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

(Sec. 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 162, 150ee. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161; 29 F.R. 16210, as amended)

Done at Washington, D.C., this 9th day of September 1966.

[SEAL] B. J. ANDERSON,
Deputy Administrator,
Agricultural Research Service.

[F.R. Doc. 66–10042; Filed, Sept. 13, 1966; 8:48 a.m.]

Consumer and Marketing Service

[7 CFR Part 1096]

[Docket No. AO–257–A13]

MILK IN NORTHERN LOUISIANA MARKETING AREA

Notice of Rescheduled Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice was issued August 23, 1966 (31 F.R. 11318) giving notice of a public hearing to be held at the Shreveporter, 3880 Greenwood Road, Shreveport, La., beginning at 10 a.m., local time, on September 15, 1966, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Northern Louisiana marketing area.

Notice is hereby given that the said public hearing is rescheduled and will be held December 6, 1966, beginning at 10 a.m., local time, at the Shreveporter, 3880 Greenwood Road, Shreveport, La.

Signed at Washington, D.C., on September 8, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66–10015; Filed, Sept. 13, 1966; 8:46 a.m.]

ATOMIC ENERGY COMMISSION

[10 CFR Part 30]

MARINE NAVIGATIONAL INSTRUMENTS

Proposed Exemption of Tritium

By letter dated March 3, 1966, Brookes & Gatehouse, Inc., filed a petition with the Atomic Energy Commission requesting exemption from licensing requirements for electrical meters containing tritium-activated light sources used for marine purposes. The light sources described by the petitioner are small glass capsules, internally coated with a phosphor which is activated by tritium gas in the capsule. Such instruments are used for the measurement of boat speed, depth of water, wind direction, etc. The instruments described by the petitioner are electrically operated and capable of being electrically illuminated. However, the electric power is sometimes supplied by batteries so that it is desirable to avoid even the small power consumption of a low wattage lamp. Much marine instrumentation has been transistorized for this and other reasons.

The Commission has given careful consideration to the petition and is considering a finding that exemption from licensing requirements for the receipt, possession, use, transfer, export, ownership, and acquisition of tritium-luminous marine navigational instruments, under the conditions set out in the proposed amendments, will not constitute an unreasonable risk to the common defense and security and to the health and safety of the public.

The proposed amendment to 10 CFR Part 30 which follows would exempt such instruments by revising § 30.15(a)(5). The exemption for marine compasses containing not more than 750 millicuries of tritium, presently provided in § 30.15 (a)(5), would be extended to exempt other marine navigational instruments containing not more than 250 millicuries of tritium gas. In addition, the proposed amendment would require the tritium content of the presently exempted ma-

rine compasses to be in the physical form of gas.

The present exemption in § 30.15(a) does not apply to the manufacture or import for sale or distribution of the products listed. Criteria for the issuance of a specific license to manufacture or import exempted items, and certain reporting and quality control requirements, are set forth in §§ 32.14, 32.15, 32.16, and 32.110, 10 CFR Part 32, "Specific Licenses to Manufacture, Distribute, or Import Exempted and Generally Licensed Items Containing Byproduct Material," and would apply to manufacture or import of marine navigational instruments under the proposed exemption.

The Commission has determined that marine navigational instruments are items intended for use by the general public. Accordingly, pursuant to § 150.15(a)(6), 10 CFR Part 150, "Exemptions and Continued Regulatory Authority in Agreement States Under Section 274", the transfer of their possession or control by the manufacturer, processor, or producer, is subject to the Commission's licensing and regulatory requirements even if the product is manufactured pursuant to an agreement State[1] license. A manufacturer, processor, or producer of marine navigational instruments containing tritium, when located in an agreement State, would be required to file an application with the Commission for a specific license authorizing the transfer of such instruments. The application should meet the criteria of § 32.14 (b), (c), and (d), 10 CFR Part 32.

There does not appear to be any significant hazard associated with the possession and use of tritium-luminous marine navigational instruments. Since tritium emits only a very low energy beta particle which is completely shielded by the walls of the glass capsule in which the gas is sealed, there is no external radiation hazard. So long as the tritium gas is confined in the glass capsule, it is not available for uptake into the body. However, in the event of severe damage to the instrument, the capsule might be ruptured and the tritium gas dispersed in the air. The types of instruments under consideration are usually installed in the wheelhouse or cockpit of a ship or boat, which, if not completely open to the air, is subject to considerable ventilation. The rapid dilution of the tritium gas by air, and the fact that data indicate that less than 0.1 percent of the tritium gas inhaled into the lungs is retained in the body, assure that the radiation exposure which might be received as a result of damage to a tritium-luminous instrument would be very small. For example, if by some accident 250 millicuries of tritium gas, the maximum instrument content being considered, were released into a volume of 10 cubic meters, with a ventilation rate of only 10 air changes per hour, the total internal radiation dose received by a person occupying such a space would not exceed 2 millirem, or 2 percent of the annual exposure received from natural background.

The types of instruments under consideration have relatively long useful lives, perhaps as long as 20 years. Much of the tritium would decay during the life of the instrument or within the instrument after its disposal as trash. Even if broken or obsolete instruments were to be processed to reclaim metallic components, contamination of scrap and reprocessed metal is not a significant consideration. While a very small fraction of any tritium gas released might be absorbed on metallic surfaces, it would be driven off during smelting or other purification processes. The petitioner has estimated that the annual market for his instruments in the United States is not likely to exceed 1,000. If a factor of 100 is assumed to account for other manufacturers, and if each instrument is assumed to contain the proposed maximum amount of tritium, 250 millicuries, the total amount of tritium used annually could approach 25,000 curies. This quantity may be compared to the natural production of approximately 8 million curies per year of tritium in the atmosphere by cosmic radiation. It has been calculated that naturally produced tritium delivers an environmental exposure of approximately 0.003 millirem per year.

An exemption for marine navigational instruments containing tritium would be consistent with the consumer product criteria published in the FEDERAL REGISTER on March 16, 1965 (30 F.R. 3462), which set out the essential terms of the Commission's policy with respect to the approval of the use of byproduct and source material in products intended for use by the general public without the imposition of regulatory controls on the user.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, notice is hereby given that adoption of the following amendment to 10 CFR Part 30 is contemplated. All interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed amendments should send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, within 60 days after publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments filed within the period specified.

1. Subparagraph (5) of § 30.15(a) is amended to read as follows:

§ 30.15 Certain items containing tritium or promethium 147.

(a) Except for persons who apply tritium or promethium 147 to, or persons who incorporate tritium or promethium 147 into, the following products, or persons who import for sale or distribution the following products containing tritium or promethium 147, any person is exempt from the requirements for a license set forth in section 81 of the Act and from the regulations in Parts 20 and 30–36 of this chapter to the extent that such person receives, possesses, uses, transfers, exports, owns, or acquires the following products:

* * * * *

(5) Marine compasses containing not more than 750 millicuries of tritium gas and other marine navigational instruments containing not more than 250 millicuries of tritium gas.

* * * * *

(Sec. 81, 68 Stat. 935; 42 U.S.C. 2111; sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Germantown, Md., this 2d day of September 1966.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

[F.R. Doc. 66-9995; Filed, Sept. 13, 1966; 8:45 a.m.]

[1] A State to which the Commission has transferred certain regulatory authority over radioactive material by formal agreement, pursuant to sec. 274 of the Atomic Energy Act of 1954, as amended.

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 121]

[Rev. 6]

SMALL BUSINESS SIZE STANDARDS

Definition of a Small Business Manufacturer

Notice is hereby given that the Administrator of the Small Business Administration proposes to amend the Small Business Size Standards Regulation (Rev. 6), as amended, by establishing new definitions of a small business manufacturer for the purpose of bidding on Government procurements for passenger car and motorcycle pneumatic tires, truck, and bus pneumatic tires, and passenger automobiles.

The present definition of a small business manufacturing concern for the purpose of bidding on Government procurements for the above products is a concern which is independently owned and operated, is not dominant in the field of operation in which it is bidding and, together with its affiliates, employs no more than 1,000 employees.

Section 2 of the Small Business Act provides for the preservation and expansion of competition and states that the declared policy of Congress is that the Government should aid, counsel, assist and protect, insofar as possible, the interests of small business concerns in order to preserve free competitive enterprise and to insure that a fair proportion of the total purchases and contracts or subcontracts for property and services for the Government will be placed with small business enterprises.

In order to increase small business participation in Government procurement, a "Small Business Set-Aside Program" was established. The purpose of the program is to provide the opportunity for qualified small business concerns to compete for a "fair share" of Govern-

ment contracts without increasing procurement costs.

SBA has the authority and responsibility to determine size standards, which define "small business" for each SIC industry, and to issue a "Certificate of Competency" determining that the firm is competent as to capacity and credit to perform the specific contract. The Government procurement agencies have the final decision as to whether a procurement is to be set-aside.

While administrative practices, rules, and criteria have changed somewhat over time, the principal thrust of the program has been to assist small business in obtaining Government contracts, but without necessarily enhancing competition in certain industries. However, by careful and selective revision of size standards for certain industries, considerable impact may be made in carrying out the congressional intent of enhancing competition via Government procurement without increasing procurement costs. The principal needs and greatest potential impacts appear to be in the manufacturing sector of the economy.

Until 10 years ago, the size standard for all firms engaged in manufacturing was set at 500 employees. That is, firms with at most 500 employees were classified as "small business" for Government procurement. It has been recognized by SBA that the definition of small business is dependent on the structure of the particular industry if competition within the industry is to be preserved and strengthened. At the present time, the range of industry size standards for the manufacturing sector runs from 500 to 1,000 employees.

While the need for careful and selective revision of size standards for specific industries has been recognized, current size standards for certain industries are ineffective in preserving or increasing competition through Government procurement. Significant increases in size standards in highly concentrated industries are necessary to enhance competition by firms that may be considered large in absolute size though small in market shares.

For some industries, present size standards do not provide for effective competitive impact through procurement. If significant revisions of size standards for these industries were implemented, an important enhancement of effective competition could be realized without increasing procurement costs. Candidate industries include, but are not limited to, those with very few or no firms which can meet present size standards. Firms which are large in absolute size, but small in market shares, can then effectively compete with the giants in highly concentrated industries.

The determination of industries for which size standards are to be revised must, of course, be accomplished in a very careful and judicious manner. There are several factors to be considered. Among these are the competitive structure of the industry, the dollar value and distribution of procurements, the probable effects of competition on smaller firms, if they exist, in addition to effects on the very large firms, the utilization of capacity in the industry to determine probable price versus output adjustments, etc.

The automotive tire industry is highly concentrated. This pertains to the two industry product classes, Passenger Car and Motorcycle Pneumatic Tires (SIC 30111) and Truck and Bus (and off-the-road) Pneumatic Tires (SIC 30112). In 1958, the four leaders accounted for 74 percent of value of product shipped and the eight leaders accounted for 88 percent of value of product shipped.

By 1965, only 14 domestic firms produced automotive tires. This is to be contrasted with 23 companies in 1945. The degree of concentration has been increasing due to vertical acquisitions of distribution outlets. There are no significant barriers to competition with reference to production technology. Optimum plant size is estimated to be 5,000–10,000 tire casings per day. A plant producing 10,000 tires per day will account for approximately 2 percent of current tire production. Hence, a firm which may account for a very small portion of the market would be of sufficient size to produce efficiently.

The degree of concentration in the passenger car industry (SIC 37171) is extremely high. In 1958, the four largest companies accounted for 99 percent of the value of shipments. While there are four major firms, only three may be considered as dominant in the industry. During the first 7 months of calendar year 1966, the three largest firms accounted for approximately 97 percent of sales. At the same time, the fourth firm can likely be competitive with respect to capacity and price for Government procurement. Provided that size standards are revised accordingly, the operation of the partial set-aside can provide the needed opportunity for such competition. Of course, other firms with very tiny market shares may be in a position to benefit as well, provided that they can meet the output and price conditions.

While these industries differ in degree, the three industries are highly concentrated. Also, the volume of Government procurement for products produced by these industries is substantial. If these size standards are revised and an effective set-aside program is pursued, there is every reason to expect that competition will be effectively increased with no increase in procurement prices.

For these reasons, SBA finds that in order to carry out the intent and purpose of section 2 of the Small Business Act it is necessary to amend the present definition of a small business manufacturer of passenger car and motorcycle pneumatic tires, truck and bus and off-the-road pneumatic tires and passenger automobiles for Government procurement purposes. Therefore, it is proposed to establish a new definition of a small business manufacturing these products as follows: Any concern which is independently owned and operated, not dominant in its field of operation in which it is bidding and, together with its affiliates, produces less than 5 percent of the total shipments of the passenger car and motorcycle pneumatic tires or truck and bus and off-the-road pneumatic tires, or passenger automobiles.

In addition, any manufacturer in order to qualify as a small business for Government procurement assistance must have produced less than 10 percent of the total value of the products produced during the preceding calendar year in that field of operation in which it is primarily engaged.

Interested persons may file with the Deputy Administrator for Procurement and Management Assistance within thirty (30) days after the publication of this proposal, written statements of facts, opinions, or arguments concerning the appropriate definition of a small business for Government procurement of passenger car and motorcycle pneumatic tires or trucks and bus and off-the-road pneumatic tires and passenger automobiles.

All correspondence on this matter should be addressed to:

Deputy Administrator for Procurement and Management Assistance, Small Business Administration, 811 Vermont Avenue NW., Washington, D.C. 20416, Attention: Size Standards Staff.

It is proposed to change the definition of a small business manufacturing concern for the purpose of bidding on Government procurements of pneumatic tires within Census Classification Codes 30111 and 30112 and passenger automobiles within Census Classification Code 37171, as follows:

The Small Business Size Standards Regulation (Rev. 6), (31 F.R. 9721), as amended (31 F.R. 10114, _____), is hereby further amended by:

1. Adding to Schedule B the product classes and size standards as follows:

Census classification code	Industry	Employment size standard
30111	Passenger cars and motorcycle pneumatic tires (casings).	See footnote 6.
30112	Trucks and bus (and off-the-road) pneumatic tires.	See footnote 6.
37171	Passenger cars (knocked down or assembled).	See footnote 6.

[6] The size standards for SIC 30111, 30112, and 37171 are set forth in sections 121.3-8(b)(5) and 121.3-8(b)(6) respectively of this part.

2. Revising paragraph (b) of § 121.3–8 to read as follows:

§ 121.3–8 Definition of small business for Government procurement.

* * * * *

(b) *Manufacturing.* Any concern bidding on a contract for a product it manufactured is classified:

(1) As small if it is bidding on a contract for a product classified within an industry not set forth in Schedule B of this part and its number of employees does not exceed 500 persons.

(2) As small if it is bidding on a contract for food canning and preserving

and its number of employees does not exceed 500 persons, exclusive of agricultural labor as defined in section (k) of the Federal Unemployment Tax Act, 68A Stat., 454, 26 U.S.C. (I.R.C. 1954) 3306.

(3) As small if it is bidding on a contract for petroleum, other than lubricants and miscellaneous petroleum products, and its number of employees does not exceed 1,000 persons and it does not have more than 30,000 barrels-per-day crude-oil capacity from owned or leased facilities.

(4) As small if it is bidding on a contract for a product classified within an industry set forth in Schedule B of this part and its number of employees does not exceed the size standard established for that industry.

(5) As small if it is bidding on a contract for pneumatic tires within Census Classification Codes 30111 and 30112: *Provided*, That (i) the value of the pneumatic tires within Census Classification Codes 30111 and 30112, which it manufactured or otherwise produced during the preceding calendar year was less than 5 percent of the total value of such tires manufactured or otherwise produced in the United States during said period, and (ii) the value of the principal product or those products which it manufactured or otherwise produced or sold during the preceding calendar year is less than 10 percent of the total value of such product or those products manufactured or otherwise produced or sold in the United States during said period.

(6) As small if it is bidding on a contract for passenger cars within Census Classification Code 37171: *Provided*, That (i) the value of the passenger cars within Census Classification Code 37171, which it manufactured or otherwise produced during the preceding calendar year was less than 5 percent of the total value of such cars manufactured or otherwise produced in the United States during said period, and (ii) the value of the principal product or those products which it manufactured or otherwise produced or sold during the preceding calendar year is less than 10 percent of the total value of that product or those products manufactured or otherwise produced or sold in the United States during said period.

Dated: September 6, 1966.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 66-9965; Filed, Sept. 13, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

National Park Service

[Order 1]

ADMINISTRATIVE ASSISTANT, CAPITOL REEF NATIONAL MONUMENT

Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment or Services

The Administrative Assistant may execute and approve contracts not in excess of $2,500 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

(National Park Service Order 34 (31 F.R. 4255); 39 Stat. 535, 16 U.S.C., sec. 2; Southwest Region Order 4 (31 F.R. 8134))

Dated: July 19, 1966.

HARRY P. LINDER,
Superintendent,
Capitol Reef National Monument.

[F.R. Doc. 66-10014; Filed, Sept. 13, 1966; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

UNITED STATES LINES CO.

Notice of Application for Approval of Certain Cruises

Notice is hereby given that United States Lines Co., acting pusuant to Public Law 87-45, has applied to the Maritime Administration for approval of the following cruises by the "SS *United States*":

Departs New York 1967	Arrives New York 1967	Itinerary
Feb. 4	Feb. 13	Cristobal, Curacao, St. Thomas.
Mar. 4	Mar. 10	St. Thomas.
Mar. 11	Mar. 20	St. Thomas, Trinidad, Curacao.
Apr. 7	Apr. 16	Nassau, St. Thomas, Martinique, Bermuda.

Any person, firm, or corporation having any interest, within the meaning of Public Law 87-45, in the foregoing who desires to offer data, views, and arguments should submit the same in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C. 20235, by the close of business on September 30, 1966. In the event an opportunity to present oral argument is also desired, specific reason for such request should also be included. The Maritime Subsidy Board will consider these comments and views and take such action with respect thereto as in its discretion it deems warranted.

Dated: September 9, 1966.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66-10041; Filed, Sept. 13, 1966; 8:48 a.m.]

National Bureau of Standards

CERTAIN SIMPLIFIED PRACTICE RECOMMENDATIONS AND COMMERCIAL STANDARDS

Notice of Action on Proposed Withdrawal

In accordance with the "Procedures for the Development of Voluntary Product Standards" (15 CFR Part 10; 30 F.R. 238, Dec. 10, 1965), public notice is hereby given of the extension from September 15, 1966 (31 F.R. 2562, Feb. 9, 1966), to January 15, 1967, of the proposed withdrawal of three voluntary standards: Simplified Practice Recommendation R16-53, Lumber (American Lumber Standards for Softwood Lumber), Commercial Standard CS57-40, Book cloths, buckrams, and impregnated fabrics for bookbinding purposes, except library bindings, and Commercial Standard CS32-31, Cotton cloth for rubber and proxylin coating.

Also, in accordance with the same procedures, public notice is hereby given of the withdrawal of 21 Simplified Practice Recommendations and 10 Commercial Standards, effective September 15, 1966.

Public notice of the proposed withdrawal of these standards was published on February 9, 1966 (31 F.R. 2562).

This withdrawal action terminates the authority to refer to these published standards from the effective date of this withdrawal. The 21 Simplified Practice Recommendations and the 10 Commercial Standards involved in this action, listed numerically, follow:

R 5-24	Hotel chinaware.
R 13-28	Structural slate.
R 14-28	Roofing slate.
R 25-24	Hot-water storage tanks.
R 33-25	Cafeteria and restaurant chinaware.
R 34-24	Warehouse forms.
R 39-25	Dining-car chinaware.
R 40-25	Hospital chinaware.
R 54-26	Sterling silver flatware.
R 55-26	Tinware, galvanized and japanned ware.
R 56-35	Carbon brushes (carbon, graphite, and metalgraphite) and brush shunts.
R 66-27	Automobile brake lining.
R 73-27	One-piece procelain insulators.
R 106-41	Hospital plumbing fixtures.
R 108-44	Dental hypodermic needles.
R 116-30	Dental brush wheels.
R 117-30	Packaging of dental plaster, investment, and artificial stone.
R 130-32	Dental lathe grinding wheels.
R 137-32	Dental cone-socket mirrors.
R 195-46	Dental excavating burs.
R 210-45	Carbon brush terminals (electric).
CS 12-48	Fuel oils.
CS 29-31	Staple seats for water-closet bowls.
CS 38-32	Hospital rubber sheeting.
CS 40-32	Surgeons' rubber gloves.
CS 41-32	Surgeons' latex gloves.
CS 44-32	Apple wraps.
CS 58-36	Woven elastic fabrics for use in overalls.
CS 65-43	Methods of analysis and of reporting fiber composition of textile products.
CS 148-50	Men's circular flat and rib knit rayon underwear.
CS 156-49	Colors for polystyrene plastics.

Dated: September 8, 1966.

A. V. ASTIN,
Director.

[F.R. Doc. 66-10048; Filed, Sept. 13, 1966; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMERICAN CYANAMID CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed by American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540, proposing the issuance of a regulation to provide for the safe use of 2-acetylamino-5-nitrothiazole for the prevention or treatment of blackhead (histomoniasis) in turkeys, alone or in combination with low-level antibiotics added for growth promotion and feed efficiency.

Dated: September 6, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-10025; Filed, Sept. 13, 1966; 8:47 a.m.]

CHAS. PFIZER & CO., INC.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 5A1660) has been filed by Chas. Pfizer & Co., Inc., 235 East 42d Street,

New York, N.Y. 10017, proposing an amendment to § 121.1164 *Synthetic flavoring substances and adjuvants* to provide for the safe use of 3-hydroxy-2-ethyl-4H-pyran-4-one (ethyl maltol) as a food flavor.

Dated: September 6, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-10026; Filed, Sept. 13, 1966; 8:47 a.m.]

PILLSBURY CO.

Notice of Filing of Petition for Food Additive Calcium Stearyl-2-Lactylate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6A1911) has been filed by the Pillsbury Co., 608 Second Avenue South, Minneapolis, Minn. 55402, proposing an amendment to § 121.1047 *Calcium stearyl-2-lactylate* to provide for the safe use of calcium stearyl-2-lactylate as a conditioning agent in dehydrated potato flakes in an amount not to exceed 0.5 percent by weight of the potato flakes.

Dated: September 6, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-10029; Filed, Sept. 13, 1966; 8:47 a.m.]

ENRICHED BREAD DEVIATING FROM IDENTITY STANDARD

Notice of Temporary Permit for Market Testing

Pursuant to § 10.5, Title 21, Code of Federal Regulations, concerning temporary permits for market testing foods deviating from the requirements of standards of identity promulgated pursuant to section 401 of the Federal Food, Drug, and Cosmetic Act, notice is given that a temporary permit has been issued to American Bakeries Co., 10 South Riverside Plaza, Chicago, Ill. 60606, to cover interstate marketing tests of enriched bread and enriched rolls or enriched buns produced from flour containing ascorbic acid at a maximum level of 200 parts per million as a dough conditioner. The standard of identity for this food (21 CFR 17.2) does not provide for the use of such flour.

Since the ascorbic acid is destroyed during baking, and there is no recognizable difference in bread characteristics attributable to the fact that the bread dough was prepared from ascorbic acid treated flour, it is not required that the bread label declare that the flour used contained ascorbic acid.

This permit expires July 8, 1967.

Dated: September 6, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-10027; Filed, Sept. 13, 1966; 8:47 a.m.]

FLOUR DEVIATING FROM IDENTITY STANDARD

Notice of Temporary Permit for Market Testing

Pursuant to § 10.5, Title 21, Code of Federal Regulations, concerning temporary permits for market testing foods deviating from the requirements of standards of identity promulgated pursuant to section 401 of the Federal Food, Drug, and Cosmetic Act, notice is given that a temporary permit has been issued to International Milling Co., Inc., 1200 Investors Building, Minneapolis, Minn. 55415, to cover interstate marketing tests of flour deviating from the requirements of the standard of identity (21 CFR 15.1) in that it will contain ascorbic acid in a quantity not to exceed 200 parts per million as a dough conditioner. The presence of the ascorbic acid is to be prominently and conspicuously displayed on the label.

This permit expires July 8, 1967.

Dated: September 6, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-10028; Filed, Sept. 13, 1966; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17692]

PORT COLBORNE FLYING SERVICE

Notice of Hearing

Application for a foreign air carrier permit, issued pursuant to section 402 of the Federal Aviation Act of 1958, as amended, to perform operations of a casual, occasional, or infrequent nature in common carriage from Canada into the United States.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing on the above-entitled application is assigned to be held on September 15, 1966, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., September 8, 1966.

[SEAL] THOMAS L. WRENN,
Associate Chief Examiner.

[F.R. Doc. 66-10030; Filed, Sept. 13, 1966; 8:47 a.m.]

FEDERAL MARITIME COMMISSION

AMERICAN PRESIDENT LINES, ET AL.

Vacation of Order To Cancel Passenger Agency Agreements

Whereas, the Commission, by order dated April 1, 1966 proposed to drop from its records certain passenger agency agreements listed in the addendum to said order; and

Whereas, affected parties were required to protest or object to said action on or before July 7, 1966, if they desired to stay the effectiveness of said order; and

Whereas, the affected parties did so protest on or before the effective date of the order and furnish information indicating the existence of some degree of anticompetitiveness in the arrangements covered by the subject agreements;

Now therefore, by virtue of the authority vested in the Commission:

It is ordered, That the order of April 1, 1966, be and is hereby vacated and the agreements listed in the addendum to said order be and are hereby continued as active approved agreements in the files of the Commission.

By the Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 66-10012; Filed, Sept. 13, 1966; 8:46 a.m.]

AMERICAN MAIL LINE AND REDERIAKTIEBOLAGET NORDSTJERNAN (JOHNSON LINE)

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. W. R. Purnell, District Manager, American Mail Line, 601 California Street, Suite 610, San Francisco, Calif. 94108.

Agreement 9288–1, between American Mail Line and Rederiaktiebolaget Nordstjernan (Johnson Line), proposes to amend the transshipment arrangement between the parties to provide for transshipment at Penang, Port Swettenham, and Singapore or ports in Japan in addition to transshipment at Hong Kong and adds certain language relative to Commission approval of all changes or modifications to the agreement prior to any implementation thereof.

Dated: September 9, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66–10013; Filed, Sept. 13, 1966; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP67–51]

EL PASO NATURAL GAS CO.

Notice of Application

SEPTEMBER 8, 1966.

Take notice that on September 6, 1966, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP67–51 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing a limited-term, best efforts sale and delivery of natural gas to Pacific Gas & Electric Co. (PG&E) by use of Applicant's existing facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that Applicant and PG&E have entered into a letter agreement dated July 28, 1966, whereby Applicant has agreed, inter alia, to sell and deliver to PG&E an additional annual quantity of 36,500,000 Mcf of natural gas. The additional deliveries will be made for a limited term, on an interruptible, best efforts basis, and will be additional to the presently certificated firm daily quantity of 1,025,000 Mcf. The limited term for which certification is requested will commence on a date coincident with receipt by PG&E from Applicant of all gas paid for but not taken by PG&E under Applicant's Rate Schedule G and deliverable under the Service Agreement between the parties dated September 13, 1965, or from January 1, 1967, whichever first occurs, through October 31, 1967, or until Applicant begins deliveries on a firm basis of an additional daily quantity of 100,000 Mcf of natural gas to PG&E, whichever later occurs.

Applicant proposes to render the additional service through maximum utilization of its presently certificated pipeline facilities at the existing point of interconnection between Applicant and PG&E's present systems located on the Arizona-California border. No additional pipeline facilities are proposed or required to be constructed by Applicant to enable it to render the proposed natural gas service. The additional service will be provided in such daily quantity of gas as Applicant has available and PG&E may request up to the extent of the available capacity of Applicant's existing facilities. Performance of the service will, however, be subject to the availability of natural gas from Applicant's several sources of supply and the satisfaction of priority requirements of Applicant's customers served from its pipeline system.

The proposed sale and delivery to PG&E will be performed under Applicant's Rate Schedule G–K–2, FPC Gas Tariff, Volume No. 1.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before October 7, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66–9999; Filed, Sept. 13, 1966; 8:45 a.m.]

[Docket No. RI67–50]

OLEN F. FEATHERSTONE, ET AL.

Order Providing for Hearing on and Suspension of Proposed Change in Rate

SEPTEMBER 1, 1966.

On August 8, 1966, Olen F. Featherstone, et al. (Featherstone)[1], tendered for filing a proposed change in their presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.
Purchaser and producing area: El Paso Natural Gas Co. (Custer Mountain Unit, Lea County, New Mexico), (Permian Basin Area).
Rate schedule designation: Supplement No. 1 to Featherstone's FPC Gas Rate Schedule No. 4.[2]
Effective date: September 8, 1966.[3]
Amount of annual increase: $11,627.
Effective rate: 16.0 cents per Mcf.[4]
Proposed rate: 18.0 cents per Mcf.[5]
Pressure base: 14.65 psia.

Featherstone request that their proposed rate increase be permitted to become effective as of August 1, 1966, the contractually provided effective date. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Featherstone's rate filing and such request is denied.

Featherstone proposes a periodic rate increase for 16.0 cents to 18.0 cents per Mcf, amounting to $11,627 annually, for a sale of "new gas-well gas to El Paso Natural Gas Co. from the Custer Mountain Unit, Lea County, N. Mex. (Permian Basin Area of New Mexico)."[6] The applicable area base rate for the subject sale is 15.5 cents per Mcf, plus applicable taxes. Since the proposed increased rate of 18.0 cents per Mcf exceeds the applicable area rate, we conclude that it should be suspended for 5 months from September 8, 1966, the date of expiration of the statutory notice.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 1 to Featherstone's FPC Gas Rate Schedule No. 4 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. 1), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Featherstone's FPC Gas Rate Schedule No. 4.

(B) Pending such hearing and decision thereon, Supplement No. 1 to Featherstone's FPC Gas Rate Schedule No. 4 is hereby suspended and the use thereof deferred until February 8, 1967, and thereafter until such further time as it

[1] Address is: Roswell Petroleum Building, Roswell, N.M. 88201. Attention: Mr. Charles W. Hicks, General Manager.

[2] Contract dated Dec. 14, 1964, and covers sale of "new" gas well gas.

[3] The stated effective date is the first day after expiration of the statutory notice.

[4] Initial rate.

[5] Periodic rate increase.

[6] Featherstone is not a respondent in Opinion No. 468 and has not filed a small producer certificate application.

is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before October 17, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-10000; Filed, Sept. 13, 1966; 8:45 a.m.]

[Docket No. CP67-50]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

SEPTEMBER 7, 1966.

Take notice that on September 1, 1966, Michigan Wisconsin Pipe Line Co. (Applicant), 1 Woodward Avenue, Detroit, Mich. 48226, filed in Docket No. CP67-50 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization for the construction and operation of a sales measuring station to provide a new delivery point for North Central Public Service Co. (North Central) on Applicant's existing Iowa lateral south of Fort Madison, Iowa. North Central, an existing resale customer of Applicant, has requested Applicant to provide the new delivery point to enable North Central to deliver and sell natural gas to a new plant which Fruehauf Corp. has under construction. Peak day and annual natural gas requirements are estimated at 500 Mcf and 80,000 Mcf, respectively, which North Central proposes to serve initially within the limits of its presently effective service agreement.

The total estimated cost of the proposed facilities is $24,296, which amount will be financed with funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before October 6, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-10001; Filed, Sept. 13, 1966; 8:45 a.m.]

[Docket No. G-18686]

MISSISSIPPI RIVER TRANSMISSION CORP.

Notice of Petition To Amend

SEPTEMBER 7, 1966.

Take notice that on August 31, 1966, Mississippi River Transmission Corp. (Petitioner), 9900 Clayton Road, St. Louis, Mo. 63124, filed in Docket No. G-18686 a petition to amend the order issued in the instant docket on June 30, 1959, by authorizing Petitioner to deliver for sale natural gas on both firm and interruptible bases to Armour Agricultural Chemical Co. (Armour), an existing direct sale customer of Petitioner now only receiving interruptible service, all as more fully set forth in the petition to amend which is on file with the Commission and is open to public inspection.

Pursuant to the Commission's order issued June 30, 1959, in the instant proceeding to Petitioner's predecessor in interest, Mississippi River Fuel Corp., Petitioner is presently authorized to transport for sale to Armour, for use in its chemical plant near Crystal City, Mo., a daily average of up to 13,000 Mcf of natural gas on an interruptible basis. Petitioner states that Armour has requested the delivery henceforth of 8,400 Mcf per day of its supply on a firm basis, this quantity representing the approximate portion of its total natural gas requirements utilized as raw material. The petition shows that Armour and Petitioner have entered into a letter agreement dated August 17, 1966, providing for new firm and interruptible gas contracts, with the firm contract calling for a contract demand of 8,400 Mcf per day and the interruptible contract for an estimated daily maximum of 6,600 Mcf. According to the petition, the 15,000 Mcf aggregate quantity in the proposed contracts reflects the fact that on individual days total plant requirements may exceed 13,000 Mcf, but that as in the past, average daily deliveries over a contract year will not exceed 13,000 Mcf.

Petitioner states that no additional facilities are required by Applicant in order to effectuate the instant proposal.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before October 3, 1966.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-10002; Filed, Sept. 13, 1966; 8:45 a.m.]

[Docket No. CP67-49]

NORTHERN NATURAL GAS CO.

Notice of Application

SEPTEMBER 8, 1966.

Take notice that on August 31, 1966, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr., filed in Docket No. CP67-49 an application pursuant to section 7(c) of the Natural Gas Act for authority to construct and operate certain compression facilities in Ochiltree County, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant requests authority to construct and operate one 660 hp. compression unit which will be utilized for minimum day take and one 1,320 hp. unit which will be utilized for average day takes. For peak day operations, both units would be placed in service. Applicant states that the two units are needed to offset the declining wellhead pressure.

The total estimated cost of the proposed facilities is $668,900 which amount will be financed from cash on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before October 6, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-10003; Filed, Sept. 13, 1966; 8:45 a.m.]

[Docket No. CP66-363]

UNITED GAS PIPE LINE CO.

Notice of Petition To Amend

SEPTEMBER 7, 1966.

Take notice that on September 1, 1966, United Gas Pipe Line Co. (Petitioner), Post Office Box 1407, Shreveport, La. 71102, filed in Docket No. CP66-363 a petition to amend the order issuing a certificate of public convenience and necessity on August 15, 1966, in the instant docket by deleting therefrom authorization to construct and operate facilities for the metering of up to 1,000 Mcf of natural gas per day to Beacon Oil & Refining Co. (Beacon), Rusk County, Tex., all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Petitioner states that a subsequent redetermination of the capacity of the facilities installed for service to Beacon under Docket No. CP66-52 has revealed that the facilities so installed will be ample to measure the volumes contemplated to be sold to Beacon and that it will not be necessary to construct and operate the metering facilities authorized by the order of August 15, 1966. Based on such redetermination, Petitioner now requests that said order be amended to delete authorization for the construction and operation of such metering facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before October 6, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-10004; Filed, Sept. 13, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

SEPTEMBER 8, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10 cents par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period September 9, 1966, through September 18, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-10006; Filed, Sept. 13, 1966; 8:46 a.m.]

[File No. 70-4405]

NEW ENGLAND ELECTRIC SYSTEM

Notice of Filing Requesting Authorization for Extension of Credit

SEPTEMBER 8, 1966.

Notice is hereby given that New England Electric System ("NEES"), 441 Stuart Street, Boston, Mass. 02116, a registered holding company, has filed a declaration, and an amendment thereto, with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 12(b) of the Act and Rule 45 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the amended declaration, which is summarized below, for a complete statement of the proposed transactions.

NEES proposes to extend its credit in respect of an Agreement and Supplemented Lease ("Agreement") between John Hancock Mutual Life Insurance Co. ("Hancock") and New England Power Service Co. ("NEPSCO"), a subsidiary service company of NEES which furnishes services to NEES and its public utility subsidiary companies. Such proposed extension of credit is intended to assure or guaranty the payment of all amounts payable by NEPSCO to Hancock under the Agreement.

The Agreement between NEPSCO and Hancock relates to land and improvements to be constructed thereon in Westborough, Mass. It provides, among other things, that Hancock will purchase land from Massachusetts Electric Co. ("Mass. Electric"), a subsidiary company of NEES, at a price not in excess of $70,000, which is equal to Mass. Electric's cost thereof and related expenses. In addition, Hancock will provide funds for the construction of an office building, a dispatching building, and related improvements thereon, located adjacent to, and sharing common facilities with, the NEPSCO Treasury and Computer Building. The latter building is leased from Hancock under a lease ("Lease") dated June 28, 1963, as amended April 30, 1965, which Lease is to be supplemented by the present Agreement. The new office building will house various other departments of NEPSCO, the executive offices for the NEES system and certain departments of New England Power Co., also a subsidiary company of NEES, all of which are now located in Boston, Mass. The new buildings will permit further centralization and consolidation of system operations at one location. The proposed dispatching installation will provide space for system dispatching facilities owned by New England Power Co.

The Agreement provides that, upon purchase of the land by Hancock, NEPSCO and Hancock will enter into a lease which provides for an annual rental during the construction period equal to 6 percent of the purchase price of the land. During construction NEPSCO would also be obligated for payment of interest to Hancock, at the rate of 6 percent per annum, on expenditures for the cost of the new building, which is estimated at about $5,500,000. At the completion of construction, which is expected to be not later than September 1, 1969, the initial term, 30 years, of the lease commences, expiring concurrently with the end of the initial term of the computer center Lease. The Agreement further provides for an annual rental of $526,100 during the 30-year term, and an option for renewal for three successive periods of 5 years each at an annual rental of $292,900. These rental payments are subject to adjustment under conditions specified in the Agreement. Hancock will pay all property taxes, assessments for betterments, and for exterior repairs, and will carry specified insurance coverages. Provisions also include adjustments of the rent in the event property taxes are greater or less than $150,000 per year, as well as adjustments in the event assessments for betterments and expenditures for repairs or insurance vary materially from the estimates for such items. The Agreement further provides for its termination in the event of condemnation, partial or total destruction, or other conditions therein specified. NEPSCO has an option to purchase the leased property near the end of the initial term or any of the renewal terms. The filing states that the Agreement was negotiated with Hancock after discussions with three other insurance companies, and that Hancock's offer resulted in the lowest cost to NEPSCO.

There are no fees or commissions to be paid by NEES in connection with the guaranty relating to the Agreement between NEPSCO and Hancock, and services to be performed for NEES by NEPSCO at actual cost are estimated not to exceed $2,500. The amended declaration states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than September 28, 1966, request in writing that a hearing be held in respect of such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law which he desires to controvert; or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed con-

temporaneously with the request. At any time after said date, the declaration, as amended, or as it may be further amended, may be permitted to become effective in the manner provided by Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-10007; Filed, Sept. 13, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

SEPTEMBER 9, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40701—*Substituted service—Union Pacific Railroad, et al., for Osborn, Inc.* Filed by Osborn, Inc. (No. 1), for itself and interested carriers. Rates on property loaded in trailers and transported on railroad flat cars, between Boise, Idaho, and Salt Lake City, Utah, on the one hand, and Chicago, Ill., Milwaukee, Wis., Minneapolis, Minn., and St. Louis, Mo., on the other.

Grounds for relief—Motortruck competition.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-10032; Filed, Sept. 13, 1966; 8:48 a.m.]

[Notice 412]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

SEPTEMBER 9, 1966.

The following letter notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's deviation rules revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 35628 (Deviation No. 23), INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville Avenue, SW., Grand Rapids, Mich. 49502, filed August 29, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Elyria, Ohio, over Interstate Highway 90 to junction Ohio Highway 44, thence over Ohio Highway 44 to junction U.S. Highway 20, (2) from Van Wert, Ohio, over U.S. Highway 224 to junction Interstate Highway 80S, thence over Interstate Highway 80S to junction Interstate Highway 76, thence over Interstate Highway 76 to Irwin, Pa., (3) from Brookville, Ind., over Indiana Highway 1 to junction U.S. Highway 35, thence over U.S. Highway 35 to Muncie, Ind., and (4) from junction Indiana Highway 37 and Interstate Highway 69 over Interstate Highway 69 to Coldwater, Mich., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Elyria, Ohio, over U.S. Highway 20 to Painesville, Ohio, (2) from Van Wert, Ohio, over U.S. Highway 224 to New Castle, Pa., thence over Pennsylvania Highway 18 to Wampum, Pa., thence over Pennsylvania Highway 288 to Zelienople, Pa., thence over U.S. Highway 19 to Pittsburgh, Pa., thence over U.S. Highway 30 to Irwin, Pa., (3) from Brookville, Ind., over U.S. Highway 52 to Rushville, Ind., thence over Indiana Highway 3 to Muncie, Ind., and (4) from Indianapolis, Ind., over Indiana Highway 37 to Marion, Ind., thence over Indiana Highway 9 to Huntington, Ind., thence over U.S. Highway 24 to Fort Wayne, Ind., thence over U.S. Highway 27 to Coldwater, Mich., and return over the same routes.

No. MC 1515 (Deviation No. 329) (Cancels Deviation No. 282), GREYHOUND LINES, INC. (Western Division), Market and Fremont Streets, San Francisco, Calif. 94106, filed August 29, 1966. Carrier's representative: W. T. Meinhold, 371 Market Street, San Francisco, Calif. 94105. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers, over deviation routes as follows: (1) From junction unnumbered highway and Interstate Highway 5 (North Mount Shasta Interchange, Calif.) over Interstate Highway 5 to junction unnumbered highway (Castle Lake Junction, Calif.), (2) from junction unnumbered highway and Interstate Highway 5 (Dunsmuir, Calif.), over Interstate Highway 5 to junction unnumbered highway (Castle Crags Junction, Calif.), (3) from junction unnumbered highway and Interstate Highway 5 (North Cottonwood Junction, Calif.) over Interstate Highway 5 to junction unnumbered highway (South Cottonwood Junction, Calif.), (4) from junction unnumbered highway and Interstate Highway 5 (North Red Bluff Interchange, Calif.) over Interstate Highway 5 to junction unnumbered highway (South Willows Junction, Calif.), (5) from junction unnumbered highway and Interstate Highway 5 (North Red Bluff Interchange, Calif.) over Interstate Highway 5 to junction unnumbered highway (South Red Bluff Interchange, Calif.), (6) from junction unnumbered highway and Interstate Highway 5 (South Red Bluff Interchange, Calif.) over Interstate Highway 5 to Corning, Calif.

(7) From Corning, Calif., over Interstate Highway 5 to Orland, Calif., and (8) from Orland, Calif., over Interstate Highway 5 to Willows, Calif., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From the point where U.S. Highway 99 intersects the Oregon-California State line, over U.S. Highway 99 to junction unnumbered highway (North Mount Shasta Interchange, Calif.), thence over unnumbered highway to junction Interstate Highway 5 (Castle Lake Junction), thence over Interstate Highway 5 to junction U.S. Highway 99 (Mott Junction), thence over Interstate Highway 5 to Dunsmuir, thence over unnumbered highway to junction Interstate Highway 5 (Castle Crags Junction), thence over Interstate Highway 5 to junction U.S. Highway 99 (North Shotgun Creek Junction), thence over U.S. Highway 99 to Anderson, thence over Interstate Highway 5 to junction unnumbered highway (North Cottonwood Junction), thence over Interstate Highway 5 to junction unnumbered highway (North Red Bluff Interchange), thence over unnumbered highway to junction U.S. Highway 99W (Corning Road Interchange), thence over U.S. Highway 99W to junction California Highway 16 (West Woodland), thence over California Highway 16 to junction California Highway 113 (Woodland), thence over California Highway 113 to junction Interstate Highway 80 (South Woodland Junction). (Connects with Oregon Route 14), and return over the same route.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-10033; Filed, Sept. 13, 1966; 8:48 a.m.]

[Notice 964]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

SEPTEMBER 9, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in

the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 73165 (Sub-No. 220) (Amendment), filed March 7, 1966, published in FEDERAL REGISTER March 31, 1966, amended September 2, 1966, and republished as amended, this issue. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Birmingham, Ala. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, pipe, pipe couplings, pipe fittings, and accessories* (except those requiring special equipment), between points in Alabama. NOTE: Applicant states that it proposes to tack with its present authority wherein it is authorized to operate in Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. The purpose of this republication is to include tacking and hearing information.

HEARING: Remains assigned September 26, 1966, at the Hotel Thomas Jefferson, Second Avenue and 17th Street, North Birmingham, Ala., before Joint Board No. 100, or if the Joint Board waives its right to participate, before Examiner Garland E. Taylor.

No. MC 117940 (Sub-No. 3) (Amendment), filed October 29, 1965, published under MC 114789 (Sub-No. 15), amended and republished, this issue. Applicant: NATIONWIDE CARRIERS, INC., 721 Second Street SE., Minneapolis, Minn. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and canned goods*, fom St. James and Madelia, Minn., to points in Kansas, Missouri, Oklahoma, Arkansas, and Texas. NOTE: The purpose of this republication is to show the proposed operation to be that of a common carrier in lieu of a contract carrier and also to show the new docket No. 117940 (Sub-No. 3) in lieu of MC 114789 (Sub-No. 15), as previously published.

CONTINUED HEARING: October 11, 1966, in Room B-29, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Examiner J. Thomas Schneider, on a consolidated record with No. MC 119767 (Sub-No. 129).

No. MC 128539 (Amendment) filed August 24, 1966, published in FEDERAL REGISTER issue of September 8, 1966, and republished as amended this issue. Applicant: H & P TRANSIT COMPANY, a corporation, 518 East Park Street, Post Office Box 1456, Kinston, N.C. 28501. Applicant's representative: Vaughan S. Winborne, 1108 Capital Club Building, Raleigh, N.C. 27601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, (1) from Cheraw, S.C., to points in North Carolina, and (2) from Apex and Goldsboro (Millers), N.C., to points in Virginia. NOTE: The purpose of this republication is to show the application has been amended, and also to reflect the hearing information.

HEARING: September 22, 1966, at the U.S. Courtrooms, Uptown Post Office Building, Raleigh, N.C., before Joint Board 196, or if the Joint Board waives its right to participate before Examiner John L. York.

No. MC 123670 (Sub-No. 5) (Republication), filed December 7, 1964, published FEDERAL REGISTER issue of February 3, 1965, and republished, this issue. Applicant: EARL R. CROWELL AND KENNETH L. CROWELL, a partnership, doing business as CROWELL TRUCKING, 701 West St. Clair Street, Almont, Mich. (Reentitled) EARL R. CROWEL AND KENNETH L. CROWEL, a partnership, doing business as CROWEL TRUCKING, 701 West St. Clair Street, Almont, Mich. Applicant's representative: John M. Veale, Suite 1700, 1 Woodward Avenue, Detroit, Mich. By application filed December 7, 1964, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of canned and processed vegetables and mixes thereof, from Imlay City and Detroit, Mich., to points in Pennsylvania and West Virginia, and pallets and refused and rejected shipments of the above named commodities, on return, under a continuing contract with Vlasic Food Products Co. A decision and order of the Commission, Operating Rights Review Board Number 3, dated August 26, 1966, and served September 6, 1966, as amended, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of *pickled vegetables*, in cans and containers, from Imlay City, Memphis, Bridgeport, and Saginaw, Mich., to points in Pennsylvania and West Virginia, limited to a transportation service to be performed under a continuing contract or contracts with Vlasic Food Products Co. of Lathrop Village, Mich. Prior to the issuance of a permit herein, a proper notice of the scope of the authority granted herein be published in the FEDERAL REGISTER in order to allow a 30-day period during which any interested party who may be affected by the broadened scope of such grant, as compared to the notice of the application as previously published, may file an appropriate pleading.

No. MC 127864 (Republication), filed January 14, 1966, published FEDERAL REGISTER issue of February 3, 1966, and republished, this issue. Applicant: CLEVELAND BULK TRANSFER, INC., COMMON CARRIER APPLICATION, East 68th Street and Berdelle, Cleveland, Ohio. (Retitled) PAUL W. WILLS, INC., CONTRACT CARRIER APPLICATION, East 68th Street and Berdelle, Cleveland, Ohio. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich. 48226. By application filed January 14, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of scrap metal, in dump vehicles, from Elkton and Lapeer, Mich., to the international boundary line, between the United States and Canada, at or near Port Huron, Mich., restricted to the transportation of shipments destined to points in Canada. An order of the Commission, Operating Rights Board No. 1, dated August 18, 1966, and served September 1, 1966, finds that operation by applicant, in foreign commerce only, as a *contract carrier* by motor vehicle, over irregular routes, of *scrap metal*, in dump vehicles, from Elkton and Lapeer, Mich., to the port of entry on the international boundary line between the United States and Canada at or near Port Huron, Mich., restricted to the transportation of shipments destined to points in Canada, under a continuing contract with Luntz Iron & Steel Co., of Cleveland, Ohio, will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

NOTICE OF FILING OF PETITIONS

No. MC 52460 (Sub-Nos. 2 and 23) (Notice of filing of petition to modify certificates), filed August 15, 1966. Petitioner: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla. 74107. Petitioner's representatives: James W. Wrape and Louis I. Dailey, 2111 Sterick Building, Memphis, Tenn. 38103. Petitioner states that it holds authority in MC 52460 (Sub-No. 2), issued April 14, 1942, to

transport, as follows: (1) *Petroleum products*, in bulk, in tank trucks, and in containers, minimum 10,000 pounds, over irregular routes, between points in that part of Kansas and Oklahoma, within 100 miles of Tulsa, Okla., on the one hand, and, on the other, points in Missouri, Kansas, Oklahoma, and in Arkansas (excluding petroleum products in containers), to or from points on U.S. Highway 64 between Fort Smith and Conway, Ark., U.S. Highway 65 between Conway and Little Rock, Ark., U.S. Highway 70 between Little Rock, and the Arkansas-Tennessee State line; and, (2) *Petroleum products*, in containers, minimum 10,000 pounds, between points in that part of Kansas and Oklahoma within 100 miles of Tulsa, Okla., on the one hand, and, on the other, points in New Mexico and that part of Texas on and west of U.S. Highway 81; and, in MC 52460 (Sub-No. 23), as follows: *Petroleum and petroleum products*, in bulk, in tank vehicles, over irregular routes, (1) between points in that part of Oklahoma, Kansas, Missouri, and Arkansas, within 200 miles of Tulsa, Okla. (excluding points in that part of Kansas and Oklahoma within 100 miles of Tulsa, Okla.), on the one hand, and, on the other, points in Oklahoma, Kansas, Missouri, and Arkansas.

(2) Between Borger, Tex., and points within 10 miles of Borger, on the one hand, and, on the other, Enid, Oklahoma City, and Tulsa, Okla., and points within 10 miles of Enid, Oklahoma City, and Tulsa, Okla., and, (3) between points in Texas on and east and north of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 80 at Fort Worth, Tex., thence along U.S. Highway 80 to junction Texas Highway 64 near Wills Point, Tex., thence southeast along Texas Highway 64 to junction U.S. Highway 79 at Henderson, Tex., thence along U.S. Highway 79 to junction U.S. Highway 59 at Carthage, Tex., thence along U.S. Highway 59 to junction U.S. Highway 84 near Tenaha, Tex., thence east along U.S. Highway 84 to the Texas-Louisiana State line, including Dallas and Fort Worth, Tex., and points within 10 miles of Dallas and Fort Worth, on the one hand, and, on the other, points in Oklahoma. By the instant petition, petitioner seeks to modify its existing authority by adding the words "including Tulsa", in the territory description, each time that the description presently reads, "within 100 miles of Tulsa". Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 105275 (Notice of filing of petition for modification of restriction in certificate), filed July 21, 1966. Petitioner: W. T. BYRNS MOTOR EXPRESS, INC., Watertown, N.Y. Petitioner's representative: Francis E. Barrett, Jr., 536 Granite Street, Investors Building, Braintree, Mass. 02184. Petitioner states that it holds authority in MC 105275, to transport *general commodities*, with stated exceptions, and various specified commodities over both regular and irregular routes, to operate in Connecticut, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Washington, D.C. By the instant petition, petitioner seeks to modify its existing authority by changing the restriction, which now reads: "The authority granted herein is restricted against the transportation of wood pulp from Ogdensburg, N.Y., to points in New York.", to read: "Restricted against the transportation of wood pulp for the account of Thurso Pulp & Paper Co., of Thurso, Quebec, Canada." Any interested person desiring to participate may file an original and six copies of his written representations, views, or arguments in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 113024 (Sub-No. 3) (Notice of filing of petition for modification of permit), filed August 8, 1966. Petitioner: ARLINGTON JOHN WILLIMS, INC., Smyrna, Del. Petitioner's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005. Petitioner states that it holds authority in MC 113024 (Sub-No. 3), to transport *clothing, dry goods, drugs, medicines, toilet preparations, diaper liners, display stands, and materials and supplies* (except liquid commodities, in tank vehicles), used in the manufacture of sewn and latex products, including packing and packaging materials therefor, between Dover, Del., and points within 5 miles thereof on the one hand, and, on the other, points in New York, New Jersey, Maryland, Georgia, Alabama, Ohio, Illinois, and California. By the instant petition, petitioner seeks to modify its existing authority by adding *toilet articles*, to the above commodity description. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 124254 and MC 124254 (Sub-No. 2) (Notice of filing of petition for modification of permit), filed August 12, 1966. Petitioner: NORTHERN MAINE TRANSPORT, INC., 79 Industrial Street, Post Office Box 746, Presque Isle, Maine 04769. Petitioner's representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree, Mass. Petitioner states that it holds authority in MC 124254, to transport as follows: *Malt beverages* and *advertising materials* when moving in connection therewith, from Natick and Boston, Mass., Albany and New York, N.Y., Newark, N.J., and Baltimore, Md., to Bangor, Caribou, and Presque Isle, Maine, under a continuing contract, or contracts, with specified shippers; and, in MC 124254 (Sub-No. 2), in part, as follows: *Malt beverages* and *advertising materials* when moving in connection therewith, from Rochester, N.Y., and Cranston, R.I., to Caribou, Maine; and, *Carbonated beverages* and *flavoring syrup* (except in bulk, in tank vehicles), and *advertising materials* when moving in connection therewith, from Waltham, Mass., to Caribou, Maine; under a continuing contract with Aroostook Beverage Co., Caribou, Maine. By the instant petition, petitioner seeks to modify its existing authority by allowing it to provide the same service it presently provides under a continuing contract or contracts with Aroostook Beverage Co., of Caribou, Maine, for the same contracting shipper at Presque Isle, Maine, in lieu of Caribou, Maine. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 28961 (Sub-No. 19) (Correction), filed August 10, 1966, published FEDERAL REGISTER issue of August 24, 1966, corrected August 29, 1966, and republished, as corrected, this issue. Applicant: McDUFFEE MOTOR FREIGHT, INC., 332 Hood Avenue, Lebanon, Ky. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment other than those requiring refrigeration, and those injurious or contaminating to other lading), serving Danville, Ky., for joinder only, in connection with applicant's authorized regular-route operations between Louisville, Ky., and Harlan and Middlesboro, Ky. NOTE: The purpose of this republication is to show that the only authority sought by applicant in this proceeding is to serve Danville, Ky., for joinder only. This application is a matter directly related to MC-F-9505, published August 1, 1966.

No. MC 119908 (Sub-No. 2) (Substitution), filed June 14, 1966. Applicant: WESTERN LINES, INC., 3523 North McCarty, Post Office Box 1145, Houston, Tex. 77001. Applicant's representative: William P. Sullivan, 1825 Jefferson Place NW, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Rough and dressed lumber*, from points in that part of Texas, on, east, and south of a line beginning at Galveston, Tex., and extending along U.S. Highway 75 to Dallas, Tex., and thence along U.S. Highway 67 to the Texas-Arkansas State line, points in that part of Arkansas, on and south of U.S. Highway 70, and points in that part of Mississippi, on and south of U.S. Highway 78, to Arcadia, La.; (2) *finished lumber*, (a) from Ada and Heflin, La., to points in that part of Texas, on, east,

and south of a line beginning at Galveston, Tex., and extending along U.S. Highway 75 to Dallas, Tex., and thence along U.S. Highway 67 to the Texas-Arkansas State line, points in that part of Arkansas, south of U.S. Highway 70, and points in that part of Mississippi, on and south of U.S. Highway 78, and (b) from Danville and Hunt, La., to points in that part of Texas, on, east, and south of a line beginning at Galveston, Tex., and extending along U.S. Highway 75 to Dallas, Tex., and thence along U.S. Highway 67 to the Texas-Arkansas State line, points in that part of Arkansas, south of U.S. Highway 70, points in Shelby County, Tenn., and points in that part of Mississippi, on and south of U.S. Highway 78; (3) *rough or dressed lumber*, (a) from Ada and Heflin, La., to points in that part of Texas, west and north of a line beginning at Galveston, Tex., and extending along U.S. Highway 75 to Dallas, Tex., and thence along U.S. Highway 67 to the Texas-Arkansas State line, and (b) from Danville and Hunt, La., to points in that part of Texas, west and north of a line beginning at Galveston, Tex., and extending along U.S. Highway 75 to Dallas, Tex., and thence along U.S. Highway 67 to the Texas-Arkansas State line; and (4) *wooden farm implement parts*, from Arcadia, La., to Memphis, Tenn. Restriction: Applicant states the above authority to be restricted to traffic originating at the named origin points and destined to the named destination territory. The above-named carrier, Western Lines, Inc., has been substituted as applicant in lieu of Roy Frank Dance, doing business as Dance's Truck Line, in No. MC 128317. Notice of the filing of that application was published in the FEDERAL REGISTER, issue of June 30, 1966. This application is directly related to MC-F-9452.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-9001 (Hively Transportation, Inc.—Purchase (Portion)—Miller's Motor Freight, Inc.; Hively Transportation, Inc.—Purchase—Morgan G. Hively), published in the January 27, 1965, issue of the FEDERAL REGISTER, on pages 862-863. By amendment filed September 2, 1966, in lieu of HIVELY TRANSPORTATION, INC. seeking to acquire portions of the operating rights of MILLER'S MOTOR FREIGHT, INC., and MORGAN G. HIVELY, authority *is now* sought for purchase by MILLER'S MOTOR FREIGHT, INC., Post Office Box 345-183, York, Pa., of the operating rights and property of MORGAN G. HIVELY, Rural Delivery No. 6, Zinn's Quarry Road, York, Pa., and for acquisition by PAUL W. HIVELY, 237 Dewdrop Road, York, Pa., of control of such rights and property through the purchase. Applicants' attorney: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Operating rights sought to be transferred: *Roofing and building materials* and *materials, supplies, machinery, and equipment* used in or incidental to the production and distribution of roofing and building materials, as a *common carrier*, over irregular routes, between York, Pa., on the one hand, and, on the other, Wilmington, Del., Washington, D.C., and points in Maryland and New Jersey. Vendee is authorized to operate as a *common carrier* in Pennsylvania, New York, New Jersey, Virginia, Delaware, Maryland, Ohio, Michigan, West Virginia, North Carolina, South Carolina, Georgia, Florida, Connecticut, Illinois, Indiana, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, Wisconsin, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9518. Authority sought for control by EARL F. BUCKINGHAM and DOROTHY M. BUCKINGHAM, 950 South Harrison, Denver, Colo. 80209, of GOLDSTEIN TRANSPORTATION AND STORAGE, INC., 1420 38th Street, Denver, Colo. 80205. Applicants' attorneys: Stockton, Lewis and Mitchell, The 1650 Grant Street Building, Denver, Colo. 80203. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Denver, Colo., and Pueblo, Colo., serving all intermediate points, and the off-route point of Manitou, Colo., one alternate route for operating convenience only, serving no intermediate points; and under a certificate of registration, in Docket No. MC-1977 (Sub-No. 11), covering the transportation of property, as a common carrier, in intrastate commerce, within the State of Colorado. EARL F. BUCKINGHAM and DOROTHY M. BUCKINGHAM hold no authority from this Commission. However, they are sole stockholders of R. A. GOULD, INC., Post Office Box 1171, Salt Lake City, Utah 84110, which is authorized to operate as a *common carrier* Utah, Arizona, and Colorado. Application has been filed for temporary authority under section 210a(b). NOTE: Docket No. MC-1977 (Sub-No. 12) is a matter directly related.

No. MC-F-9519. Authority sought for purchase by UNITED TRANSPORTATION, INC., Post Office Box 285, Bethel, Alaska 99559, of the operating rights and property of (1) HOWARD V. ELLIOTT, doing business as ELLIOTT'S FUEL TRANSFER, Post Office Box 285, Bethel, Alaska 99559, and (2) JOHN P. SNOW AND EUGENE L. SNOW, doing business as SNOW TRANSPORTATION COMPANY, Bethel, Alaska 99559, and for acquisition by HOWARD V. ELLIOTT, Post Office Box 213, Bethel, Alaska, JAMES HOFFMAN, 1161 Westbury Drive, Anchorage, Alaska, and AL LAROUX, Post Office Box 181, Bethel, Alaska, of control of such rights and property through the purchase. Applicants' representatives: Robison, McCaskey and Lewis, 921 Sixth Avenue, Anchorage, Alaska. Operating rights sought to be transferred: (1) *Bulk petroleum products*, as a *common carrier*, over irregular routes, between Bethel, Alaska, and points within 25 miles thereof; (2) *general commodities*, as a *common carrier*, over irregular routes, between Bethel, Alaska, and points within 9 miles thereof. Restriction: The authority granted herein, to the extent that it authorizes the transportation of classes A and B explosives, shall be limited, in point of time, to a period expiring 5 years after December 21, 1964; and *general commodities* by self-propelled vessels and by non-self-propelled vessels with the use of separate towing vessels, as a *common carrier by water*, during the season extending from May 15 to October 15, both dates inclusive, of each year, between points on the Kuskokwim River, from its mouth to Tuluksak, including Tuluksak. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9520. Authority sought for purchase by REFINERS TRANSPORT & TERMINAL CORPORATION, 930 North York Road, Hinsdale, Ill. 60521, of the operating rights of C. L. DELONG TRUCKING, INC., Bedford Glens Road, Bedford, Ohio, and for acquisition by LEASEWAY TRANSPORTATION CORP., and, in turn by H. M. O'NEILL, F. J. O'NEILL, and W. J. O'NEILL, all of 21111 Chagrin Boulevard, Cleveland, Ohio 44122, of control of such rights through the purchase. Applicants' attorneys: Ewald E. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115, and Roland Rice, 618 Perpetual Building, Washington, D.C. 20004. Operating rights sought to be transferred: *Asphalt, tar*, and *pitch*, in bulk, in tank trucks, as a *common carrier*, over irregular routes, from Cleveland, Ohio, to all points in Erie, Crawford, Mercer, Venango, Lawrence, Butler, Beaver, Allegheny, and Washington Counties, Pa., and Hancock County, W. Va., from all points in Allegheny County, Pa., to Cleveland, Ohio; *asphalt*, in bulk, in tank trucks, from Cleveland, Ohio, to Detroit and Dearborn, Mich., from Cleveland, Ohio, to points in Brooks, Marshall, Ohio, and Wetzel Counties, W. Va.; *coal tar* and *creosote oil*, in bulk, in tank vehicles, between Cleveland, Ohio, on the one hand, and, on the other, East Liverpool and Wellsville, Ohio; and *liquid petroleum asphalt*, in bulk, in tank vehicles, from Cleveland, Ohio, to points in Forest and Warren Counties, Pa. Vendee is authorized to operate as a *common carrier* in all States in the United States (except Alaska and Hawaii), and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9521. Authority sought for purchase by MURAL TRANSPORT, INC., 2900 Review Avenue, Long Island City, 1, N.Y., of the operating rights of CAPITAL TRANSPORTATION & CRATING CORP., 204-206 Ninth Street, Brooklyn, N.Y., and for acquisition by ALEXANDER SHAPIRO, also of Long

Island City, N.Y., of control of such rights through the purchase. Applicants' attorneys: S. S. Eisen, 140 Cedar Street, New York, N.Y. 10006, and Martin Werner, 2 West 45th Street, New York, N.Y. 10036. Operating rights sought to be transferred: *Store fixtures* and *office furniture*, as a *common carrier*, over irregular routes, between points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia; *such commodities* as are dealt in by persons engaged in the manufacture or sale of store fixtures and office furniture, uncrated, between New York, N.Y., on the one hand, and, on the other, points in Virginia, on and east of U.S. Highway 15; *new and used store and office furniture, fixtures, and equipment*, between New York, N.Y., on the one hand, on the other, points in Maine, New Hampshire, Vermont, Ohio, West Virginia, North Carolina, South Carolina, and that part of Virginia, west of U.S. Highway 15; and *uncrated store fixtures* and *uncrated hotel and restaurant equipment*, between points in the New York, N.Y., commercial zone, as defined by the Commission, on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and the District of Columbia. Vendee is authorized to operate as a *common carrier* in all States in the United States (except Alaska and Hawaii), and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–9522. Authority sought for purchase by CAROLINA FREIGHT CARRIERS CORPORATION, Post Office Box 697, Cherryville, N.C., of the operating rights of HARRY B. WILSON, doing business as WILSON'S MOTOR TRANSIT, 2500 South Main Street, Middletown, Ohio, and for acquisition by C. G. BEAM, 207 South Elm Street, Cherryville, N.C., and D. F. BEAM, 400 South Elm Street, Cherryville, N.C., of control of such rights through the purchase. Applicants' attorney: James E. Wilson, 1735 K Street NW., Washington, D.C. 20006. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Cincinnati, Ohio, and Chicago, Ill., serving certain intermediate and off-route points, between Middletown, Ohio, and Franklin, Ohio, and between Middletown, Ohio, and Eaton, Ohio, serving no intermediate points. Vendee is authorized to operate as a *common carrier* in North Carolina, New York, Virginia, South Carolina, Maryland, Florida, Georgia, New Jersey, Rhode Island, Connecticut, Massachusetts, Pennsylvania, Alabama, Delaware, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC–F–9523. Authority sought for (1) control by THE CAPITOL CORPORATION, 140 Everett Avenue, Newark, Ohio 43055, of (a) SERVICE MOTOR FREIGHT, INC., Atlantic Avenue, Lawnside, N.J., and (b) CRAIG TRUCKING, INC., Albany, Ind., and for acquisition by H. E. LEFEVRE, also of Newark, Ohio 43055, of control of (a) and (b) through the acquisition by THE CAPITOL CORPORATION; and (2) control and merger by CRAIG TRUCKING, INC., of the operating rights and property of (a) BEVERAGE TRANSPORTATION, INC., 140 Everett Avenue, Newark, Ohio 43055, (b) ATLAS FREIGHT LINES, INC., Box 12, Rittman, Ohio, and (c) B & L MOTOR FREIGHT, INC., 140 Everett Avenue, Newark, Ohio 43055. Applicants' attorney: Clarence D. Todd, 1825 Jefferson Place NW., Washington, D.C. 20036. Operating rights sought to be (1) controlled, and (2) controlled and merged: ((1)(a) SERVICE MOTOR FREIGHT INC.). Numerous specified building materials, equipment, and supplies, including, among others, *fiberglas materials and products, as a contract carrier*, over irregular routes, from, to, and between, certain specified points in Pennsylvania, Maryland, Delaware, New York, New Jersey, Georgia, Illinois, Indiana, Kentucky, Maine, New Hampshire, North Carolina, Ohio, South Carolina, Tennessee, West Virginia, Vermont, Michigan, Virginia, Massachusetts, Connecticut, Rhode Island, and the District of Columbia, with certain specified exceptions, and numerous restrictions, as more specifically described in Docket No. MC–3094 and various subnumbers thereunder.

((1)(b) CRAIG TRUCKING, INC.) Numerous specified commodities, including, among others, *foodstuffs and food preparations*, and *paper and paper products*, as a *common carrier*, over irregular routes, from, to, and between certain specified points in Indiana, Michigan, Kentucky, Missouri, Pennsylvania, Illinois, Ohio, Iowa, Wisconsin, and West Virginia, with certain specified exceptions, and numerous restrictions, as more specifically described in Docket No. MC–55811 and various subnumbers thereunder; ((2)(a) BEVERAGE TRANSPORTATION, INC.) Numerous specified commodities, including, among others, *malt beverages and wines*, as a *common carrier*, over irregular routes, from, to, and between, certain specified points in Ohio, Missouri, Illinois, Indiana, New York, New Jersey, Pennsylvania, Wisconsin, Massachusetts, and Kansas, with restrictions, as more specifically described in Docket No. MC–119772 and various subnumbers thereunder; ((2)(b) ATLAS FREIGHT LINES, INC.) Numerous specified commodities, including, among others, *paper products*, and *supplies* used in the manufacture of paper products, as a *common carrier*, over irregular routes, from, to, and between, certain specified points in Ohio, Michigan, New York, Pennsylvania, West Virginia, Massachusetts, Rhode Island, Connecticut, New Jersey, Maryland, Delaware, Virginia, Indiana, Kentucky, Tennessee, Wisconsin, Illinois, Missouri, and the District of Columbia, with restriction, as more specifically described in Dockt No. MC–127249.

((2)(c) B & L MOTOR FREIGHT, INC.) Numerous specified commodities, including, among others, *fiberglas materials*, and *fiberglas products*, and *equipment, materials, and supplies* incidental thereto, as a *contract carrier*, over irregular routes, from, to, and between certain specified points in Ohio, Pennsylvania, West Virginia, Kentucky, New York, Indiana, Illinois, Michigan, Wisconsin, Missouri, Kansas, Delaware, Maryland, New Jersey, Connecticut, Massachusetts, Rhode Island, Alabama, Florida, Georgia, Maine, Mississippi, North Carolina, Tennessee, Vermont, Virginia, New Hampshire, Minnesota, and the District of Columbia, with certain specified exceptions, with numerous restrictions, as more specifically described in Docket No. MC–81968 Sub-No. 19 and numerous subnumbers thereunder; and *fertilizer*, as a *common carrier*, over regular routes, between Columbus, Ohio, and Indianapolis, Ind., serving all intermediate points; and *fertilizer*, and numerous other specified commodities, over irregular routes, from, to, and between, certain specified points in Ohio, Indiana, Michigan, New York, Pennsylvania, Maryland, West Virginia, and Kentucky, with restriction, as more specifically described in Docket No. MC–123255. This notice does not purport to be a complete description of the operating rights of the carriers involved. The foregoing summaries are believed to be sufficient for purposes of public notice regarding the nature and extent of these carrier's operating rights, without stating, in full, the entirety thereof. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–9524. Authority sought for control by COOPER-JARRETT, INC., 23 South Essex Avenue, Orange, N.J., of CARGO-IMPERIAL FREIGHT LINES, INC., 91 Mountain Road, Burlington, Mass. 01801, and for acquisition by R. E. COOPER, JR., also of Orange, N.J., of control of CARGO-IMPERIAL FREIGHT LINES, INC., through the acquisition by COOPER-JARRETT, INC. Applicants' attorneys: Irving Klein, 280 Broadway, New York, N.Y. 10007, and Kenneth B. Williams, 111 State Street, Boston, Mass. 02109. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Buffalo, N.Y., and Boston, Mass., serving certain intermediate and off-route points, between Albany, N.Y., and Gloversville, N.Y., serving certain intermediate points; *general commodities*, except those of unusual value, class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, between Syracuse, N.Y., and Albany, N.Y., serving all intermediate points; *general commodities*, except those of unusual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, in truckload lots, over irregular routes, between Albany, N.Y., and

points in New York and Massachusetts within 25 miles of Albany, on the one hand, and, on the other, points in Massachusetts, and certain specified points in Connecticut, and Rhode Island. COOPER-JARRETT, INC., is authorized to operate as a *common carrier* in Missouri, Nebraska, Iowa, Massachusetts, Illinois, New York, Pennsylvania, Connecticut, Maryland, Indiana, Delaware, New Jersey, Ohio, West Virginia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-10034; Filed, Sept. 13, 1966; 8:48 a.m.]

[Notice 966]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

SEPTEMBER 9, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

Special rules of procedure for hearing. (1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 591 (Sub-No. 10) (Republication), filed July 21, 1966, published in the FEDERAL REGISTER issue August 25, 1966, and republished this issue. Applicant: LINCOLN-DIXIE FREIGHT LINES, INC., 9330 South Bennett Avenue, Chicago, Ill. 60617. Applicant's representative: David Axelrod, 39 South La Salle St., Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and equipment, materials, and supplies* used in the manufacture or processing of iron and steel articles (except commodities in bulk and oil field and pipeline commodities as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, Davenport, Iowa, and points within 40 miles thereof. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Joint Board No. 54, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 730 (Sub-No. 269) (Republication), filed July 20, 1966, published in FEDERAL REGISTER September 1, 1966, and republished, this issue. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Oakland, Calif. 94604. Applicant's representative: Alfred G. Krebs (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel articles*, from points in Putnam County, Ill., to points in California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Utah, Washington, Wyoming, and the District of Columbia, and (2) *materials, equipment, and supplies used in the manufacture and distribution of the commodities described under (1) above*, on return. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 2990 (Sub-No. 21) (Republication), filed July 21, 1966, published in FEDERAL REGISTER September 1, 1966, and republished this issue. Applicant: BLUE ARROW-DOUGLAS, INC., 525 Burton Street SW., Grand Rapids, Mich. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and equipment, materials, and supplies used in the manufacture or processing of iron and steel articles* (except commodities in bulk and oil field and pipeline commodities as defined by the Commission), between points in Putnam County, Ill. on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 16831 (Sub-No. 13) (Republication), filed August 23, 1966, published in FEDERAL REGISTER September 9, 1966, and republished this issue. Applicant: LAVERNE W. SIMPSON, doing business as MID SEVEN TRANSPORTATION COMPANY, 2323 Delaware Avenue, Des Moines, Iowa 50317. Applicant's representative: Robert L. Page (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles* as described in appendix V to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, between points in Putnam County, Ill., on the one hand, and, on the other, points in Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, and Indiana. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 32474 (Sub-No. 32), filed June 24, 1966. Applicant: KEESHIN TRANSPORT SYSTEM, INC., 3131 Douglas Road, Toledo, Ohio 43606. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, in tank vehicles, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Putnam County, Ill., on the one hand, and, on the other, points in Wisconsin, Indiana, Michigan, Ohio, and New York.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 33641 (Sub-No. 60) (Republication), filed July 18, 1966, published in FEDERAL REGISTER August 18, 1966, and republished this issue. Applicant: IML FREIGHT, INC., Post Office Box 2277, Salt Lake City, Utah 84110. Applicant's

representative: Marshall G. Berol, 100 Bush Street, 21st Floor, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and the transportation of commodities in connection with which shipper requires carrier to furnish armed guards or armored equipment), serving points in Putnam County, Ill., as off-route points in connection with carrier's authorized regular-route operations. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Joint Board No. 149, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 38183 (Sub-No. 43) (Republication), filed August 15, 1966, published in FEDERAL REGISTER September 1, 1966, and republished this issue. Applicant: WHEELOCK BROS., INC., 720 East Third Street, Kansas City, Mo. Applicant's representative: John E. Lesow, 3737 North Meridian, Indianapolis, Ind. 46208. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving points in Putnam County, Ill., as off-route points in connection with applicant's presently authorized regular route operations to and from Chicago, Ill. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Joint Board No. 149, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 60012 (Sub-No. 73), filed August 18, 1966. Applicant: RIO GRANDE MOTOR WAY, INC., 1400 West 52d Avenue, Denver, Colo. 80221. Applicant's representative: Ernest Porter, 604 Rio Grande Building, Denver, Colo. 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (other than oil field and pipeline commodities as defined by the Commission in T. E. Mercer and G. E. Mercer, Extension—Oilfield Commodities, 74 M.C.C. 459), from the plant and warehouse sites, and storage yards of the C F & I Steel Corp., Pueblo, Colo., to points in Utah and New Mexico, restricted to shipments originating at the plant and warehouse sites, and storage yards of the C F & I Steel Corp. NOTE: Common control may be involved.

HEARING: October 24, 1966, at New Courthouse and Federal Building, 1961 Stout Street, Denver, Colo., before Joint Board No. 212, or if the Joint Board waives its right to participate, before Examiner Jerome K. Soffer.

No. MC 64994 (Sub-No. 77) (Amendment), filed May 16, 1966, published in FEDERAL REGISTER issue of June 9, 1966, amended and republished as amended this issue. Applicant: HENNIS FREIGHT LINES, INC., Post Office Box 612, Winston-Salem, N.C. 27102. Applicant's representative: Frank C. Philips (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and equipment, material, and supplies, used or useful in the manufacture of iron and steel and iron and steel articles*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: The purpose of this republication is to broaden the authority sought.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams Street, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 66462 (Sub-No. 9) (Amendment), filed May 19, 1966, published FEDERAL REGISTER issues of June 16, 1966, and August 18, 1966, and republished this issue. Applicant: THE WILLETT COMPANY, a corporation, 700 South Desplaines Street, Chicago, Ill. Applicant's representative: Daniel J. Sweeney, One North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles and products, articles used, and in the manufacture of iron and steel or iron and steel articles and products, steel mill materials, supplies, and equipment, and building materials*, between points in Putnam County, Ill., on the one hand, and, on the other, points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Louisiana, Alabama, Georgia, and Florida. NOTE: This republication is to reflect the hearing information.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 68980 (Sub-No. 9), filed August 23, 1966. Applicant: CHECKER EXPRESS CO., a corporation, 960 West Montana Avenue, Milwaukee, Wis. 53215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and equipment, materials, and supplies* used in the manufacture or processing of the above described commodities, between points in Putnam County, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, and Wisconsin.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 73464 (Sub-No. 105), filed August 23, 1966. Applicant: JACK COLE COMPANY, a corporation, 1900 Vanderbilt Road, Birmingham, Ala. 35202. Applicant's representatives: George E. Tickle (same address as applicant), and Guy H. Postell, 1375 Peachtree Street NE., Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between points in Putnam County, Ill., on the one hand, and, on the other, Birmingham, Ala., and points within 15 miles of Birmingham, and (2) between points in Putnam County, Ill., on the one hand, and, on the other, Andalusia, Anniston, Attalla, Brewton, Demopolis, Dothan, Elba, Enterprise, Eufaula, Evergreen, Gadsden, Georgiana, Greenville, Montgomery, Opelika, Opp, Ozark, and Prattville, Ala. NOTE: Applicant states it intends to tack the authority herein sought at Birmingham, Ala., to permit service to and from points in Alabama in connection with its presently authorized regular route operations between Birmingham and Mobile, Ala.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 103435 (Sub-No. 186) (Republication), filed July 15, 1966, published in FEDERAL REGISTER August 18, 1966, and republished this issue. Applicant: UNITED-BUCKINGHAM FREIGHT LINES, East 915 Springfield Avenue, Spokane, Wash. 99220. Applicant's representative: J. Maurice Andren, Post Office Box 1631, Rapid City, S. Dak. 57701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles and equipment, materials, and supplies* used in the manufacturing or processing of iron and steel, and iron and steel articles, between points in Putnam County, Ill., on the one hand, and, on the other, points in Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, Montana, Wyoming, Colorado, Idaho, Washington, and Oregon, restricted to traffic originating or terminating at the facilities of Jones & Laughlin Steel Corp. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 108912 (Sub-No. 15) (Republication), filed July 20, 1966, published in the FEDERAL REGISTER August 25, 1966, and republished this issue. Applicant:

CHICAGO PITTSBURGH EXPRESS, INC., 654 West 21st Street, Chicago, Ill. 60616. Applicant's representative: Noel F. George, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel products, and steel mill equipment, materials, and supplies*, between Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Kansas, Maryland, Massachusetts, Michigan, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia, and Wisconsin. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 111485 (Sub-No. 9) (Republication), filed July 28, 1966, published in FEDERAL REGISTER August 25, 1966, and republished this issue. Applicant: PASCHALL TRUCK LINES, INC., R.F.D. No. 4, Murray, Ky. Applicant's representative: R. Connor Wiggins, Jr., Suite 909, 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, as defined by the Commission in Ex Parte MC 45, between points in Putnam County, Ill., on the one hand, and, on the other, points in Kentucky, Alabama, Mississippi, Tennesee, Arkansas, Georgia, Florida, South Carolina, North Carolina, Indiana, Missouri, and Ohio. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 114019 (Sub-No. 162) (Republication), filed July 20, 1966, published in FEDERAL REGISTER August 25, 1966, and republished this issue. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. 60629. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, in tank vehicles, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Putnam County, Ill., on the one hand, and, on the other, points in Indiana, Ohio, Michigan, Kentucky, Wisconsin, Minnesota, Iowa, Missouri, Kansas, Nebraska, Colorado, North Dakota, and South Dakota. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Examiner James C. Cheseldine.

No. MC 115840 (Sub-No. 26) (Amendment), filed May 19, 1966, published in FEDERAL REGISTER issues of June 23, 1966, and August 18, 1966, and republished this issue. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and articles used in the manufacture of iron and steel or iron and steel articles, and commodities used in the production and maintenance of steel plants*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky Louisiana, Lower Peninsula of Michigan, Mississippi, Missouri, Ohio, Oklahoma, Tennessee, Texas, Virginia, North Carolina, and South Carolina. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: September 26, 1966, at the Midland Hotel, 172 West Adams, Chicago, Ill., before Examiner James C. Cheseldine.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-10035; Filed, Sept. 13, 1966; 8:48 a.m.]

[Notice 965]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

SEPTEMBER 9, 1966.

The following applications are governed by Special Rule 1.247 [1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247(d)(4) of the special rule, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 2860 (Sub-No. 7), filed August 25, 1966. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Alvin Altman, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cooling or freezing rooms; cooling or freezing boxes and machines, equipment and supplies used in connection therewith; refrigerators* (other than household); *refrigerator evaporators; bins, shelving; counters; hardware, and display cases;* from Cherry Hill and Camden, N.J., to points in Maine, New Hampshire, Vermont, Virginia, West Virginia, Ohio, North Carolina, South Carolina, Georgia, and Florida, and the District of Columbia; and *damaged or returned shipments of the above commodities* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or New York, N.Y.

[1] Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

No. MC 7640 (Sub-No. 23), filed August 25, 1966. Applicant: BARNES TRUCK LINE, INC., 506 Mayo Street, Wilson, N.C. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flakeboard*, from Farmville, N.C., to points in Delaware, Georgia, Maryland, New Jersey, Pennsylvania, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Ohio, Illinois, Indiana, West Virginia, Kentucky, Tennessee, Florida, Iowa, and Wisconsin, and the District of Columbia. NOTE: Applicant states that authority sought could be tacked with that now held at Farmville, N.C., to serve destinations sought herein. If a hearing is deemed necessary, applicant requests it be held at Raleigh or Charlotte, N.C.

No. MC 10761 (Sub-No. 196), filed August 1, 1966. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich. 48209. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and equipment, materials and supplies* used in the manufacture or processing of iron and steel articles, between points in the Chicago, Ill., commercial zone, as defined by the Commission, on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 13250 (Sub-No. 85) (Correction), filed July 20, 1966, published FEDERAL REGISTER issue of August 18, 1966, and republished as corrected, this issue. Applicant: J. H. ROSE TRUCK LINE, INC., 5003 Jensen Drive, Post Office Box 16190, Houston, Tex. Applicant's representative: Thomas E. James, 721 Brown Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies and pipe incidental to, used in, or in connection with* (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, (1) between points in Arkansas, California, Kansas, Louisiana, New Mexico, Oklahoma, and Texas, (2) between points in California and Texas, on the one hand, and, on the other, points in Arizona, Colorado, and Utah, (3) between points in Texas, on the one hand, and, on the other, points in Wyoming and Montana, (4) between points in Idaho, Montana, Wyoming, Colorado, North Dakota, South Dakota, and Nebraska, (5) between points in Nevada, on the one hand, and, on the other, points in Idaho, Wyoming, Utah, Colorado, Arizona, and New Mexico, (6) between points in California, south of the northern boundaries of San Luis Obispo, Kern, and San Bernardino Counties, Calif., on the one hand, and, on the other, Casper, Wyo.

(7) between points in Nevada, (8) between points in Nevada, on the one hand, and, on the other, points in Wyoming, Colorado, Montana, North Dakota, South Dakota, and Utah, (9) between points in Idaho, (10) between points in Idaho, on the one hand, and, on the other, points in Wyoming, Colorado, Montana, North Dakota, South Dakota, and Utah, (11) between points in California, on the one hand, and, on the other, points in Wyoming, Colorado, North Dakota, and South Dakota, (12) between points in Alabama, Florida, and Georgia, (13) between points in Texas, on the one hand, and, on the other, points in Alabama, Florida, and Georgia, (14) between Kilgore, Tex., and points in Texas within 200 miles of Kilgore, on the one hand, and, on the other, points in Arkansas, Louisiana, Mississippi, and Oklahoma, (15) between points in San Juan, Rio Arriba, and McKinley Counties, N. Mex., Dolores, San Miguel, Montezuma, San Juan, La Plata, and Archuleta Counties, Colo., Navajo and Apache Counties, Ariz., and San Juan County, Utah, (16) between points in Washington and Oregon, on the one hand, and, on the other, points in Colorado, Wyoming, and Utah, (17) between points in Illinois, Indiana, Louisiana, Kentucky, Missouri, and Tennessee, and (18) between points in Oklahoma, on the one hand, and, on the other, points in Illinois, Indiana, Louisiana, Kentucky, Missouri, and Tennessee. NOTE: Applicant states it presently holds authority to transport various commodities used in the oil and gas industry (primarily so-called *Mercer* description commodities as defined in *T. E. Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459) in all of the territory above described. Applicant intends to tack the various paragraphs of the territorial authority specified above with each other wherever possible. The purpose of this republication is to add the word "between" in paragraph 16 above. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., Oklahoma City, or Tulsa, Okla.

No. MC 55236 (Sub-No. 141), filed August 23, 1966. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. 54306. Applicant's representative: K. L. Laird (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk (except sulphur dioxide and except methyl chloride, in multiunit tank vehicles), from Marinette, Wis., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Wisconsin, Iowa, Missouri, Arkansas, Louisiana, Illinois, Indiana, Michigan, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Maryland, Delaware, New Jersey, New York, Pennsylvania, Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Connecticut, and the District of Columbia. NOTE: Applicant states it intends to tack at Chicago and Waukegan, Ill., Sheboygan and Green Bay, Wis., to points involved in this application. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 66900 (Sub-No. 30), filed August 25, 1966. Applicant: HOUFF TRANSFER, INCORPORATED, Post Office Box 91, Weyers Cave, Va. Applicant's representative: Harold G. Hernly, 711 14th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission), from Philadelphia and York, Pa., and points in that part of Pennsylvania south of U.S. Highway 422 and east of Interstate Highway 83, including points on the indicated portions of the highways specified, to points in Virginia. NOTE: Applicant states that it will tack proposed authority with presently held authority, in which it is authorized to operate in the States of West Virginia, Virginia, and Maryland, and the District of Columbia. Applicant further states that if this application is granted, it will request cancellation of its hardware authority out of Philadelphia, Pa., and its territorial general commodity authority from the prescribed Pennsylvania territory. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 100109 (Sub-No. 5) (Correction), filed July 21, 1966. Published FEDERAL REGISTER issue of August 25, 1966, and republished as corrected, this issue. Applicant: HERMAN STUMPF, JAMES STUMPF, AND ROBERT STUMPF, a partnership, doing business as STUMPF & SONS, Rural Route No. 3, Worthington, Minn. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer and fertilizer ingredients*, from points in Iowa on and north of U.S. Highway 20 and on and west of U.S. Highway 65, including points in Sioux City, Iowa, and its commercial zone in Nebraska and South Dakota, to points in Minnesota, and South Dakota on and east of U.S. Highway 281, and (2) *dry fertilizer and fertilizer ingredients*, (a) from points in Minnesota (except points in Hennepin and Ramsey Counties), to Esterville, Iowa, and (b) from Albert Lea, Minn., to

points in Iowa on and north of U.S. Highway 20 and on and west of U.S. Highway 65. NOTE: The purpose of this republication is to include the commodity description in (1) above, inadvertently omitted. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 107475 (Sub-No. 60), filed August 25, 1966. Applicant: DANCE FREIGHT LINES, INC., 920 Dance Court, Cincinnati, Ohio 45203. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, classes A and B explosives, commodities in bulk, those requiring special equipment, those of unusual value and those injurious or contaminating to other lading), (1) between Atlanta and Athens, Ga., over U.S. Highway 78, and return over the same route, serving the intermediate point of Monroe, Ga., and (2) between Covington and Winder, Ga.; (a) from Covington over U.S. Highway 278 to junction Georgia Highway 11, thence along Georgia Highway 11 via Monroe, Ga., to Winder, and return over the same route, serving the intermediate point of Monroe, and (b) from Covington over Interstate Highway 20 to junction Georgia Highway 11, thence along Georgia Highway 11 via Monroe, Ga., to Winder, and return over the same route, serving the intermediate point of Monroe. NOTE: Applicant states no duplicating authority is sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 107757 (Sub-No. 27), filed August 23, 1966. Applicant: M. C. SLATER, INC., Post Office Box 369, Granite City, Ill. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, and equipment, materials, and supplies* used in the manufacture and processing of iron and steel articles, between Alton, Madison, and Granite City, Ill., on the one hand, and, on the other, points in Indiana, Michigan, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 109633 (Sub-No. 14), filed August 23, 1966. Applicant: ARBET TRUCK LINES, INC., 222 East 135th Place, Chicago, Ill. 60627. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, liquid commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment), between Indianapolis, Ind., on the one hand, and, on the other, St. Louis, Mo., and points in Illinois, on and south of a line beginning at the Illinois-Indiana State line, thence over Illinois Highway 119 to junction U.S. Highway 136, thence over U.S. Highway 136 to the Illinois-Iowa State line, serving Indianapolis, Ind., as a point of joinder only for traffic originating at or destined to regular route points in Indiana and Ohio, lying east of Indianapolis. NOTE: Applicant states that the purpose of this application is to authorize an alternate routing through Indianapolis, Ind., as a gateway point in lieu of the presently authorized routing through points in Clinton County, Ind., as gateway points. Applicant further states that no new service or service points are requested. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116938 (Sub-No. 5), filed August 25, 1966. Applicant: FRANK BEATY, Route 2, Manchester, Tenn. 37355. Applicant's representative: Harry E. Dixon, Jr., Post Office Box 211, Roanoke, Va. 24002. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick and related articles*, from Huntsville, Ala., to Chattanooga, Tenn., and to points in that part of Tennessee, on and east of U.S. Highway 13 extending through Collinwood, Waynesboro, Linden, Waverly, Cunningham, Clarksville, and Sadlersville, Tenn., that part of Alabama, on and north of a line beginning at the Alabama-Georgia State line and extending west along U.S. Highway 80 through Phenix City, Marvyn, Tuskegee, and Mount Meigs, Ala., to Montgomery, Ala., and thence northwest along U.S. Highway 82 through Centerville, Duncanville, Tuscaloosa, Reform, and Stafford, Ala., to the Alabama-Mississippi State line, that part of Georgia, on and north of a line beginning at the Georgia-Alabama State line, and extending along U.S. Highway 80 through Columbus and Upatoi, Ga., to Geneva, Ga., thence east along Georgia Highway 96 through Butler to Reynolds, Ga., thence north along Georgia Highway 128 to Roberta, Ga., thence east along U.S. Highway 80 through Knoxville and Lizella, Ga., to junction Georgia Highway 57, near Macon, Ga., thence east along Georgia Highway 57 through Irwinton, Wrightsville, and Kite, Ga., to Swainsboro, Ga., thence north along Georgia Highway 56 through Summertown, Ga., to junction Georgia Highway 17 at or near Midville, Ga., thence east along Georgia Highway 17 to Millen, Ga., thence east along Georgia Highway 21 to Sylvania, Ga., and thence northeast along U.S. Highway 301 to the Georgia-South Carolina State line, and that part of North Carolina on and west of a line beginning at the North Carolina-South Carolina State line, and extending along U.S. Highway 221 through Rutherfordton, Thermal City, Marion, and Ashford, N.C., to junction North Carolina Highway 194, near Linville Falls, N.C., thence north along North Carolina Highway 194 to Ingalls, N.C., thence north along U.S. Highway 19E through Minneapolis and Elk Park, N.C., to the North Carolina-Tennessee State line (except to points in Alabama, Georgia, North Carolina, and Tennessee which are within 65 miles of Chattanooga, Tenn.), under contract with Huntsville Brick & Tile Co. (subsidiary of General Shale Products Corp.). If a hearing is deemed necessary, applicant requests it be held at Chattanooga or Knoxville, Tenn.

No. MC 123048 (Sub-No. 99), filed August 23, 1966. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements and farm machinery*, from Clarion, Iowa, to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, Chicago, Ill., or Madison, Wis.

No. MC 124078 (Sub-No. 245), filed August 23, 1966. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay and clay products*, from points in Tippah County, Miss., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, New York, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, and West Virginia. NOTE: Applicant states that it intends to tack with present authority in which it is authorized to operate in Arkansas, Illinois, Kansas, Mississippi, Missouri, Oklahoma, and Western Tennessee. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 127780 (Sub-No. 2), filed August 25, 1966. Applicant: EMIL DiUBALDO, doing business as DiUBALDO TRUCKING CO., Beryl, W. Va. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Raw Charcoal*, from Luke, Md., to the plantsite of the Kingsford Co., at or near Parsons, W. Va., under contract with the Kingsford Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Charleston, W. Va., or Washington, D.C.

No. MC 127616 (Sub-No. 4), filed August 8, 1966. Applicant: HANSON M. SAVAGE, doing business as SAVAGE TRUCKING COMPANY, Box 105, Chester Depot, Vt. 05144. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Log buildings*, from Hartland, Vt., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Virginia, West Virginia, Kentucky, Ohio, Indiana, Illinois, Michigan, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Brattleboro, Vt., or Concord, N.H.

No. MC 128464 (Sub-No. 1), filed August 25, 1966. Applicant: M TRANSPORT COMPANY, INC., Post Office Box 291, East Alton, Ill. 62024. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building and roofing materials* (except those requiring special handling or special equipment because of size or weight, and commodities in bulk), from East St. Louis, Ill., to points in Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Springfield or Chicago, Ill.

No. MC 128481 (Sub-No. 2), filed August 25, 1966. Applicant: HENRY V. MUSGROVE, Route No. 2, Post Office Box 41, Axson, Ga. Applicant's representative: Norman J. Bolinger, 1730 American Heritage Life Building, Jacksonville, Fla. 32202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glued wooden laminated structural arches and beams, and materials and supplies* used in the construction thereof, between Waycross, Ga., and points in Alabama, Connecticut, Delaware, Florida, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, under contract with Dixie Laminated, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 128551 (Sub-No. 1), filed August 25, 1966. Applicant: JAMES J. KENNEDY, JR., doing business as KENNEDY VAN & STORAGE, 3359 Army Street, San Francisco, Calif. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in San Francisco, Marin, Contra Costa, Alameda, and San Mateo Counties, Calif., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery services incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Washington, D.C.

APPLICATION FOR BROKERAGE LICENSE

No. MC 130010 (Correction), filed July 20, 1966, published FEDERAL REGISTER issue of August 25, 1966, corrected August 30, 1966, and republished, as corrected, this issue. Applicant: BEREA TOURS, INC., 36 South Rocky River Drive, Berea, Ohio. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. For a license (BMC 5) to engage in operations as a *broker* at Berea, Ohio, in arranging for transportation by motor vehicle in interstate or foreign commerce of *Passengers and their baggage*, for individuals as well as groups, in special, charter, and regular route services, between points in the United States, including Alaska, but excluding Hawaii. NOTE: The purpose of this republication is to show that the applicant also proposes to arrange motor carrier transportation for individuals as well as groups in regular-route services.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAVE BEEN REQUESTED

No. MC 22195 (Sub-No. 125), filed August 23, 1966. Applicant: DAN DUGAN TRANSPORT COMPANY, a corporation, 41st and Grange Avenue, Post Office Box 946, Sioux Falls, S. Dak. 57101. Applicant's representative: J. P. Everist (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, (1) from the American Oil Co. terminal at Moorhead, Minn., to points in South Dakota, and *returned shipments*, on return, (2) from the American Oil Co. terminal at Sioux Falls, S. Dak., to points in Iowa, Minnesota, and North Dakota, and *returned shipments*, on return. NOTE: Applicant states no duplication of authority sought.

No. MC 104149 (Sub-No. 179), filed August 8, 1966. Applicant: OSBORNE TRUCK LINE, INC., 516 North 31st Street, Birmingham, Ala. 35201. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission and commodities in bulk), between the plantsite of Revere Copper & Brass, Inc., located approximately 6 miles south of Scottsboro, Ala., on the one hand, and, on the other, points in Alabama, Florida, Georgia, Louisiana, Mississippi, Tennessee, Arkansas, Oklahoma, Kentucky, North Carolina, South Carolina, Virginia, West Virginia, and Maryland.

No. MC 109584 (Sub-No. 135), filed August 23, 1966. Applicant: ARIZONA-PACIFIC TANK LINES, INC., 3201 Ringsby Court, Denver, Colo. 80216. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups and liquid sugars*, in bulk, in tank vehicles, from Manteca, Mendota, Spreckels, and Woodland, Calif., to points in Washoe County, Nev.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Sub-No. 111), filed August 23, 1966. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago, Ill. 60603. Applicant's representative: Robert J. Bernard (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express, and newspapers, in the same vehicle with passengers*, (1) between Bowling Green and Scottsville, Ky., over U.S. Highway 231, serving all intermediate points; and, (2) between Campbellsville and Columbia, Ky., via Greensburg, Ky., from Campbellsville, over U.S. Highway 68 to junction Kentucky Highway 61, 2 miles south of Greensburg, thence over Kentucky Highway 61, to Columbia, serving all intermediate points.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-10036; Filed, Sept. 13, 1966; 8:48 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

SEPTEMBER 9, 1966.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. C-239, case No. 4, filed June 27, 1966. Applicant: INTERCITY TRUCKING SERVICE, INC., 14333 Goddard Street, Detroit, Mich. 48226. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *general commodities*, in intrastate and interstate or foreign commerce, serving the village of Rives Junction, Mich., located north of the Jackson, Mich., commercial zone, and approximately 1.3 miles west of U.S. Highway 127, as an off-route point in connection with authorized regular route service to and from Jackson, Mich.

HEARING: September 22, 1966, 9:30 a.m., Michigan Public Service Commission, Lewis Cass Building, South Walnut Street, Lansing, Mich. Requests for procedural information, including the time for filing protests, concerning this application, should be addressed to the Michigan Public Service Commission, Lewis Cass Building, Lansing, Mich. 48913, and should not be directed to the Interstate Commerce Commission.

State Docket No. C-6714, case No. 20, filed July 11, 1966. Applicant: CENTRAL TRANSPORT, INC., 3399 East

McNichols Road, Detroit, Mich. 48212. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *general commodities*, in intrastate and interstate or foreign commerce, serving the village of Rives Junction, Mich., located north of the Jackson, Mich., commercial zone, and approximately 1.3 miles west of U.S. Highway 127, as an off-route point in connection with authorized regular route service.

HEARING: September 22, 1966, 9:30 a.m., Michigan Public Service Commission, Lewis Cass Building, South Walnut Street, Lansing, Mich. Requests for procedural information, including the time for filing protests, concerning this application, should be addressed to the Michigan Public Service Commission, Lewis Cass Building, Lansing, Mich. 48913, and should not be directed to the Interstate Commerce Commission.

State Docket No. 48045, filed November 8, 1965. Applicant: IMPERIAL TRUCK LINES, INC., 101 North Avenue 18, Los Angeles, Calif. Applicant's representative: Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *general commodities*, with the usual exceptions, both intrastate and interstate and foreign commerce, between points as follow: All points and places now presently authorized to be served, and Eagle Mountain via U.S. Highways 60 and 70, to junction U.S. Highways 60 and 70 and unnumbered County Road 3 miles west of Desert Center; thence via said unnumbered County Road to Eagle Mountain, with service to all intermediate points on and along said U.S. Highways, and the said unnumbered County Road and all points and places east of Indio and located 10 miles laterally of said highways and unnumbered road. Present operations: (1) Between Los Angeles basin region, on the one hand, and on the other, Coachella Valley territory and Imperial Valley territory together with Winterhaven and points on U.S. Highway 80 between Winterhaven and Imperial Valley territory and points on U.S. Highway 99 and State Highway 111 between Imperial Valley and Coachella Valley territories; (2) between all points and places in the Coachella Valley territory; (3) between all points and places in the Imperial Valley territory; (4) between all points and places on U.S. Highway 80 between Winterhaven and Imperial Valley territory, including Winterhaven, and all points and places on U.S. Highway 99 and State Highway 111 between Imperial Valley territory and the Coachella Valley territory. (Said points on said U.S. Highways 80 and 99 and State Highway 111 will be referred to hereafter collectively as "Highways 80, 99, and 111 points".) (5) Between Coachella Valley territory points on the one hand, and, on the other, Highways 80, 99, and 111 points and points in Imperial Valley territory; (6) between Imperial Valley territory points, on the one hand, and, on the other, Highways 80, 99, and 111 points; (7) between the Los Angeles basin region on the one hand, and, on the other, the San Diego territory, together with all points and places on and within a distance of 10 miles laterally on either side of U.S. Highway 101 and U.S. Highway 395 between the northerly boundary of San Diego County and the northerly boundary of the San Diego territory; and, (8) between the San Diego territory and all points and places on and within a distance of 10 miles laterally on either side of U.S. Highways 101 and 395, between the northerly boundary of San Diego County and the northerly boundary of San Diego territory, all on the one hand, and, on the other, all points and places in Coachella Valley territory, and Imperial Valley territory, together with Winterhaven and points on U.S. Highway 80 between Winterhaven and Imperial Valley territory and points on U.S. Highway 99 and State Highway 111 between Imperial Valley territory and Coachella Valley territory. (a) No service shall be performed between any two points both of which are located within San Diego County. (b) No service shall be performed to or from any point located within the boundary of the United States Navy Ammunition Depot in the vicinity of Fallbrook, Calif.

HEARING: October 6, 1966, 10 a.m., Los Angeles, Calif. Requests for procedural information, including the time for filing protests, concerning this application, should be addressed to the California Public Utilities Commission, State Building, Civic Center, 455 Golden Gate Avenue, San Francisco, Calif. 94102, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-10037; Filed, Sept. 13, 1966; 8:48 a.m.]

[Notice 251]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 9, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 42487 (Sub-No. 657 TA), filed September 6, 1966. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: V. C. Tyler (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizers, fertilizer Compounds, and fertilizer ingredients*, from Epco, Idaho, to points in Washington and Oregon, for 180 days. Supporting shipper: El Paso Products Co., Post Office Box 3986, Odessa, Tex. 79760. Send protests to: William R. Murdoch, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 106233 (Sub-No. 14 TA), filed September 7, 1966. Applicant: HART TRUCKLINE, INC., Highway 25 North, Dexter, Mo. 63841. Applicant's representative: G. F. Gunn, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo. 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except usual exceptions), from Poplar Bluff, Mo., to Doniphan, Neelyville, Naylor, and Oxley, Mo.; from Poplar Bluff over U.S. Highways 160 and 67 to the junction of U.S. Highways 160 and 67, thence over U.S. Highway 160 to the junction of U.S. Highway 160 and Ripley County Highway No. U, thence over Ripley County Highway No. U to Doniphan, thence over Missouri Highway 142 to junction Missouri Highway 53, thence over Missouri Highway 53 to junction U.S. Highways 160 and 67, for 180 days. Supporting shipper: Vitronic Inc., W. D. Dowdy, Traffic Manager, Vitronic, Inc., of Doniphan, Mo., 311 North Lindbergh Boulevard, St. Louis County, Mo. 63141. Send protests to: J. P. Werthmann, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 3248-B, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 106644 (Sub-No. 72 TA), filed September 6, 1966. Applicant: SUPERIOR TRUCKING COMPANY, INC., Post Office Box 17050, Chattahoochee Station, 2770 Peyton Road, NW., Atlanta, Ga. 30321. Applicant's representative: Otis E. Stovall (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt or composition lumber*, from Craig and Broken Bow, Okla., to points in Florida, North Carolina, South Carolina, Ohio, Virginia, and West Virginia, for 180 days. Supporting shipper: Dierks Forests, Inc., 810 Whittington Avenue, Hot Springs, Ark. 71901. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations and Compliance, Inter-

state Commerce Commission, Room 300, 680 West Peachtree Street NW., Atlanta, Ga. 30308.

No. MC 107002 (Sub-No. 329 TA), filed September 6, 1966. Applicant: HEARIN - MILLER TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representative: D. D. Kennedy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urea*, in bags, and in bulk, from Lake Charles, La., to points in Arkansas, Mississippi, Oklahoma, and Texas, for 180 days. Supporting shipper: Olin Mathieson Chemical Corp., Agricultural Division, Post Office Box 991, Little Rock, Ark. Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 312–A, U.S. Post Office Building, Jackson, Miss. 39201.

No. MC 111401 (Sub-No. 209 TA), filed September 6, 1966. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. 73701. Applicant's representative: Alvin J. Meiklejohn, Jr., 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Freeport, Tex., to points in California, Connecticut, Illinois, Indiana, Iowa, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, and South Carolina, for 180 days. Supporting shipper: The Dow Chemical Co., G. W. Westerman, Traffic Manager, Southern Region, Freeport, Tex. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla.

No. MC 116077 (Sub-No. 205 TA), filed September 7, 1966. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 9527, Houston, Tex. 77011. Applicant's representative: J. C. Browder (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urea*, dry, in bags, from Lake Charles, La., to points in Texas, for 180 days. Supporting shipper: D. E. Taylor, transportation supervisor, Rates and Analysis, Agricultural Division, Olin Mathieson Chemical Corp., Post Office Box 991, Little Rock, Ark. Send protests to: John C. Redus, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex. 77061.

No. MC 123061 (Sub-No. 35 TA), filed September 6, 1966. Applicant: LEATHAM BROTHERS, INC., 46 Orange Street, Salt Lake City, Utah 84104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and Poultry feeds and feed ingredients*, in bulk and in containers, between Twin Falls, Idaho, and points in Oregon, for 180 days. Supporting shippers: Albers Milling Co., 3350 Fifth Street South, Twin Falls, Idaho 83301, Albers Milling Co., General Offices, Carnation Building, Los Angeles, Calif. 90036. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah 84111.

No. MC 124033 (Sub-No. 31 TA), filed September 6, 1966. Applicant: SKINNER MOTOR EXPRESS, INC., 1035 South Keystone Avenue, Indianapolis, Ind. 46203. Applicant's representative: Steers, Klee, Jay, and Sullivan, 45 North Pennsylvania Street, Suite 312, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from points in Jefferson County, Ky., to points on and south of Indiana Highway 28, for 180 days. Supporting shipper: Cargill, Inc., Cargill Building, Minneapolis, Minn. Send protests to: District Supervisor, R. M. Hagerty, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 124174 (Sub-No. 55 TA), filed September 7, 1966. Applicant: MOMSEN TRUCKING CO., a corporation, Highway 71 and 18 North, Spencer, Iowa 51301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides*, from Fargo, N. Dak., to Sioux City, Iowa, for 180 days. Supporting shipper: Needham Packing Co., Inc., 1911 Warrington Road, Sioux City, Iowa 51107. Send protests to: Carroll Russell, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 128484 (Sub-No. 1 TA), filed September 6, 1966. Applicant: BOWEIL STORAGE & TRANSIT CO., a corporation, 5850 Center Hill Avenue, Cincinnati, Ohio 45232. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Hamilton, Butler, Warren, Clermont, Montgomery, Clark, Greene, and Miami Counties, Ohio; Dearborn County, Ind., and Kenton, Campbell, and Boone Counties, Ky., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments. NOTE: Common control may be involved, for 180 days. Supporting shipper: Smyth Worldwide Movers, Inc., 11616 Aurora Avenue North, Seattle, Wash. 98133. Send protests to: Emil P. Schwab, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1010 Federal Building, 550 Main Street, Cincinnati, Ohio 45202.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-10038; Filed, Sept. 13, 1966; 8:48 a.m.]

[Notice 1411]

MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 9, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–68910. By order of September 7, 1966, the Transfer Board approved the transfer to Delbert H. Stephens and Ferdinand A. Klein, a partnership, doing business as Spokane-St. Maries Auto Freight, Spokane, Wash., of certificates Nos. MC–52842 and MC–52842 (Sub-No. 1), issued April 9, 1943, and October 31, 1961, respectively, to Earl L. Perin, Priest River, Idaho, the former authorizing the transportation of lumber, poles, piling, logs, machinery, and equipment, building materials, and camp equipment and supplies used in logging operations, over irregular routes, between points and places in Spokane and Pend Oreille Counties, Wash., on the one hand, and, on the other, points and places in Kootenai, Bonner, and Boundary Counties, Idaho, and the latter authorizing the transportation of lumber and cants, over irregular routes, from points in Bonner County, Idaho, to points in Nez Perce County, Idaho. Harold D. Clarke, 912 Paulsen Building, Spokane, Wash. 99201, attorney for applicants.

No. MC–FC–68922. By order of September 8, 1966, the Transfer Board approved the transfer to Rizzo Trucking, Inc., Brooklyn, N.Y., of certificate No. MC–116546, issued July 9, 1958, to Peter Coleine and Angelo Cortazzo, a partnership, doing business as Amwil Trucking Co., New York, N.Y., authorizing the transportation of: Meats, meat products and meat byproducts, dairy products, and articles distributed by meat packinghouses, from New York, N.Y., to points in Westchester County, N.Y. Morris Honig, 150 Broadway, New York, N.Y. 10038, attorney for applicant (transferee). Robert B. Pepper, 880 Bergen Street, Jersey City, N.J., representative for transferor.

No. MC–FC–68972. By order of September 8, 1966, the Transfer Board approved the transfer to Matuszko Farms, Inc., Amherst, Mass., of the operating rights of Skibiski Produce Corp., Sunderland, Mass., in certificate No. MC–42703, issued April 29, 1954, authorizing the transportation, over irregular routes, of agricultural commodities, from points in Hampshire and Franklin Counties, Mass., to points in New Hampshire, Vermont, Connecticut, Rhode Island, and New York, and fertilizer, from West Haven, Conn., to Sunderland, Mass., and from Sunderland, Springfield, and South Deerfield, Mass., to points in New York State within 150 miles of Sunderland, and those in New Hampshire and Vermont on and west of U.S. Highway 3 from the New Hampshire-Massachusetts State line to junction U.S. Highway 4, and on and south of U.S. Highway 4 from junction U.S. Highway 3 to the Vermont-New York State line. Arthur Wentzell, 539 Hartford Turnpike, Shrewsbury, Mass., representative for applicants.

No. MC–FC–69041. By order of September 8, 1966, the Transfer Board approved the transfer to Harold D. Kahn, Newton Centre, Mass., of the operating rights of Toro Bros. Trucking of Massachusetts, Inc., East Haven, Conn., in certificate No. MC–109607, issued December 29, 1949, as amended August 27, 1962, authorizing the transportation, over irregular routes, of general commodities, except commodities in bulk, household goods, and other specified commodities; new furniture; household goods; new furniture, uncrated and unwrapped; wooden frames, unwrapped and uncrated; groceries and vegetables; linoleum, rugs, dry goods, canned goods, paper, and paper articles; shoes; plumbing supplies; and springs (loose or ties in bundles), baled cotton, fiber, and moss; between, and from and to specified points in Massachusetts, New Hampshire, New York, Connecticut, Rhode Island, Maine, Maryland, New Jersey, Pennsylvania, and the District of Columbia, varying with the commodities transported. Edward A. Schwartz, 15 Court Square, Boston, Mass. 02108, attorney for applicants.

No. MC–FC–69045. By order of September 7, 1966, the Transfer Board approved the transfer to Gerald P. Carolan and Joel E. Schlipman, doing business as J & J Trucking, Mendon, Ill., of the operating rights in certificate No. MC–123769, issued by the Commission March 6, 1962, to Earnest R. Robertson, Quincy, Ill., authorizing the transportation of: Gravel, sand, and stone, from specified points in Missouri to points in Adams County, Ill. Robert T. Lawley, 308 Reisch Building, Springfield, Ill., attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66–10039; Filed, Sept. 13, 1966; 8:48 a.m.]

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